

EXHIBIT B

From: "Ethan O'Connell" <ethano1114@gmail.com>

To: "Ethan O'Connell" <ethano1114@gmail.com>

"Scott Hilton" <scott.hilton@kba.law>

"Henry O'Connell" <henry@canaryspeech.com>

"kimberly kempton" <123kimmyk@gmail.com>

Date: 4/29/2021 11:48:18 AM

Subject: Would you please review the attached documents we would love your advice

Attachments: 20210422_Brixley Bags, LLC_001 (1) (2).pdf

Scott,

This is Ethan O'Connell, you have worked with us in the past helping us register our trademark for Brixley Bags. My father is Henry O'Connell with Canary Speech who initially referred you to us.

Yesterday we received a letter from Thread Wallet, a Utah based company. I have attached the letter below. This company has sent a letter to my wife who is the owner of Brixley Bags, LLC.

Brixley and Tread Wallet sell products that have some overlap. These products have been developed by our companies independently. While we have designed our product to meet our specific market and customers, our product is manufactured in China. The product that is in question is the Crossbody Bag. A quick google search would find dozens of similar bags sold by multiple companies.

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Our bag was designed by us and has our registered trademark name on the front and back. Would you review the letter and give us your advice, we are interested in having you responded in our behalf.

Thank you,

Ethan O'Connell



60 East South Temple
Suite 1000
Salt Lake City, Utah 84111
(801) 533-9800
www.wnlaw.com

James W. McConkie III
(801) 321-8841
jmconkie@wnlaw.com

April 22, 2021

VIA FEDEX AND EMAIL

Brixley Bags, LLC
361 North 725 East
Vineyard, UT 84059
info@brixleybags.com

Re: Thread Wallets, LLC Intellectual Property
WN File: 22075.71



To Whom It May Concern:

This firm represents Thread Wallets, LLC ("Thread Wallets") in its intellectual property and related matters. As you may be aware, Thread Wallets designs, manufactures, and markets innovative wallets, phone cases, and accessories. You may view some of Thread Wallets' products at www.threadwallets.com.

Among other products, Thread Wallets designed and sells a cross-body bag available at, among others, <https://www.threadwallets.com/products/aqua-crossbody-bag> ("the Thread Crossbody Bag"). Thread Wallets' distinctive design for its crossbody bag includes a number of features that help make it readily identifiable, and thus set it apart in the marketplace relative to competitors. Those distinctive elements include, among other things, the size, dimension and arrangement of parts shown on the Thread Crossbody Bag below. Thread Wallets also has multiple design patents pending on this design and expects those applications to issue in due course. Thread Wallets has invested substantial time and resources in its products and the intellectual property that is integral thereto. In turn, Thread Wallets has developed and enjoys a significant reputation and considerable goodwill amongst the consuming public.

It has come to Thread Wallets' attention that Brixley Bags, LLC ("Brixley Bags") is offering for sale a line of bags ("the Brixley Crossbody Bags") that is substantially similar to the Thread Crossbody Bag, as shown in the side-by-side pictures below:

Brixley Bags, LLC
April 22, 2021
Page 2

Brixley Crossbody Bag ¹	Thread Crossbody Bag
	

¹ See, e.g., <https://brixleybags.com/products/slate-crossbody-sling>.


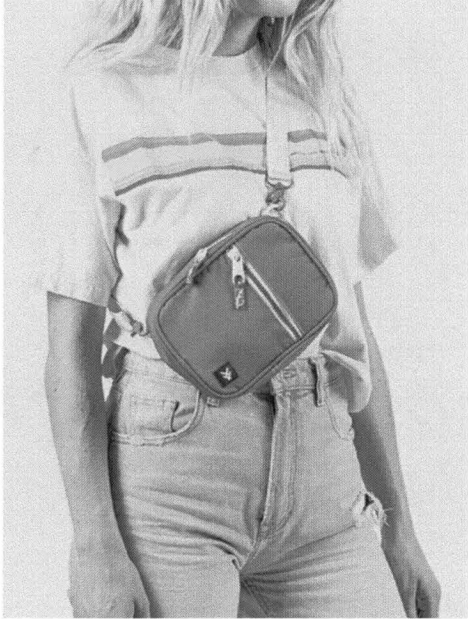
Brixley Bags, LLC
April 22, 2021
Page 3

Brixley Crossbody Bag ¹	Thread Crossbody Bag
	
	

Brixley Bags, LLC

April 22, 2021

Page 4

Brixley Crossbody Bag ¹	Thread Crossbody Bag
	

As you can see, the Brixley Crossbody Bag is virtually identical to the Thread Crossbody Bag, from the overall design down to details such as the placement of the logos on each bag. Consumers are likely to be confused by the similarities between the bags and may believe the Brixley Crossbody Bag is affiliated with Thread Wallets when it is not. Such confusion is even more likely since Brixley Bags and Thread Wallets are both Utah companies based within Utah County.

We are sending this to notify Brixley Bags of Thread Wallets' intention to enforce its intellectual property rights, including its design patent rights should they still cover the above design at issuance. As such, Thread Wallets asks that Brixley Bags move to a different design of crossbody bag once it sells through its current inventory. Confusion between the Brixley Crossbody Bag and the Thread Crossbody Bag would not be beneficial to either company. If Brixley Bags is still selling the Brixley Crossbody Bag when Thread Wallets' design patent issues, Thread Wallets will not hesitate to enforce its patent rights.

Brixley Bags, LLC
April 22, 2021
Page 5

Please acknowledge receipt of this letter and give us your written assurance on or before **May 5, 2021** that Brixley Bags will cease selling the Brixley Crossbody Bag once it sells through its existing inventory. Although Thread Wallets hopes the parties can resolve this matter amicably, it reserves its rights based on the claims outlined herein and any other claim available to Thread Wallets under all applicable laws.

Sincerely,

WORKMAN NYDEGGER

A handwritten signature in dark ink, consisting of a large, sweeping arch over a horizontal line, with a vertical stroke extending downwards from the right side of the horizontal line.

JAMES W. McCONKIE III

JWM:sc
(44088551.1)

From: KBA <scott.hilton@kba.law>

To: "Henry O'Connell" <henry@canaryspeech.com>

"kimberly kempton" <123kimmyk@gmail.com>

"Ethan O'Connell" <ethano1114@gmail.com>

Date: 4/29/2021 9:06:14 PM

Subject: Re: Would you please review the attached documents we would love your advice

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Thanks,

Scott



SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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CC: "Henry O'Connell" <henry@canaryspeech.com>
"kimberly kempston" <123kimmyk@gmail.com>

Date: 4/30/2021 9:01:03 AM

Subject: Re: Would you please review the attached documents we would love your advice

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"kimberly kempton" <123kimmyk@gmail.com>
"Lauren Swenson" <lswenson@kba.law>

Date: 5/4/2021 12:25:44 PM

Subject: RE: Would you please review the attached documents we would love your advice

Attachments: Thread Wallets Letter - 05-04-2021.pdf

Hi Ethan.

Attached is the draft letter, along the lines I proposed. Let me know if you have any questions or suggestions. If you have time to take a look before end of day tomorrow, we can send it then, but I wouldn't worry too much about the date they set, it's pretty arbitrary.

Let me know what you think.

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Sent: Friday, April 30, 2021 9:01 AM
To: Scott Hilton <scott.hilton@kba.law>
Cc: Henry O'Connell <henry@canaryspeech.com>; kimberly kempton <123kimmyk@gmail.com>
Subject: Re: Would you please review the attached documents we would love your advice

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Ethan O'Connell



May 4, 2021

James W. McConkie III
60 East South Temple, Suite 1000
Salt Lake City, Utah 84111
jmccconkie@wnlaw.com
By email only

Re: Thread Wallets, LLC Intellectual Property
KB&A Docket No.: 4436.7.1

Dear James,

We are in receipt of your letter of April 22, 2021 on behalf of your client Thread Wallets, LLC ("Thread Wallets") regarding our client Brixley Bags, LLC ("Brixley Bags"). While Brixley Bags denies each of the allegations and reserves its rights to enforce its own intellectual property against Thread Wallets, we appreciate your client's desire to resolve its allegations amicably, and Brixley Bags similarly desires an amicable resolution.

However, the letter fails to provide Brixley Bags with any notice of the intellectual property rights they are allegedly infringing. While the letter does mention "multiple design patents pending," the scope claimed in those design patent applications is not disclosed, and the letter instead focuses on Thread Wallets' "significant reputation and considerable goodwill amongst the consuming public" and that "consumers are likely to be confused" neither of which are relevant factors when determining patent infringement, even if the scope of the pending design patent applications had been disclosed in the letter.

A demand letter alleging patent infringement but lacking "the patent numbers of the patent or patents being asserted" is the first factor indicating a bad faith assertion of patent rights in Utah Code §78B-6-1903, the Distribution of Bad Faith Patent Infringement Letters Act. While we understand that your client has not yet been granted any patent rights and such potential rights are currently undefined and may never be granted, at a minimum, copies of the pending patent applications or the figures indicating potential claim scope would at least provide some basis for your client's premature allegations, allowing Brixley Bags to at least tentatively "assess the merits of the assertion of patent infringement" pursuant to Utah Code §78B-6-1903 at this early stage, prior to any actual patent rights being granted.

Brixley Bags looks forward to amicably resolving your client's allegations, if possible, once your client's patent rights have been defined and granted. If your client decides to continue to pursue their allegations of infringement prior to being granted any actual patent rights, we would appreciate any information they are willing to provide regarding the current scope of their design patent applications, with the understanding that the scope may change prior to patent grant, if any.

Sincerely,

Kunzler Bean & Adamson

A handwritten signature in black ink, appearing to read 'Scott C. Hilton'.

Scott C. Hilton

Attorney for Brixley Bags, LLC

From: "Ethan O'Connell" <ethano1114@gmail.com>
To: "Scott Hilton" <scott.hilton@kba.law>
CC: "Henry O'Connell" <henry@canaryspeech.com>
"kimberly kempton" <123kimmyk@gmail.com>
"Lauren Swenson" <lswenson@kba.law>

Date: 5/4/2021 4:48:00 PM

Subject: Re: Would you please review the attached documents we would love your advice

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Cc: Henry O'Connell <henry@canaryspeech.com>; kimberly kempton
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BRIXLEY_006933

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Subject: RE: Would you please review the attached documents we would love your advice

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SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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On Apr 29, 2021, 11:48 AM -0600, Ethan O'Connell <ethano1114@gmail.com>, wrote:

Scott,

This is Ethan O'Connell, you have worked with us in the past helping us register our trademark for Brixley Bags. My father is Henry O'Connell with Canary Speech who initially referred you to us.

Yesterday we received a letter from Thread Wallet, a Utah based company. I have attached the letter below. This company has sent a letter to my wife who is the owner of Brixley Bags, LLC.

Brixley and Tread Wallet sell products that have some overlap. These products have been

BRIXLEY_006938

developed by our companies independently. While we have designed our product to meet our specific market and customers, our product is manufactured in China. The product that is in question is the Crossbody Bag. A quick google search would find dozens of similar bags sold by multiple companies.

Thread Wallet sent this attached letter to an old address and my wife did not receive it till last night, which we happened to pick it up from the old address. This company has indicated that they are applying for but have not received patent design protection for their crossbody bag. They are requesting that we stop selling ours.

Our bag was designed by us and has our registered trademark name on the front and back. Would you review the letter and give us your advice, we are interested in having you responded in our behalf.

Thank you,

Ethan O'Connell



60 East South Temple
Suite 1000
Salt Lake City, Utah 84111
(801) 533-9800
www.wnlaw.com

James W. McConkie III
(801) 321-8841
jmconkie@wnlaw.com

May 21, 2021

VIA EMAIL

Scott C. Hilton
KUNZLER BEAN & ADAMSON
50 W. Broadway, Suite 1000
Salt Lake City, UT 84101
scott.hilton@kba.law

Re: Thread Wallets, LLC Intellectual Property
WN File: 22075.71

Dear Scott,


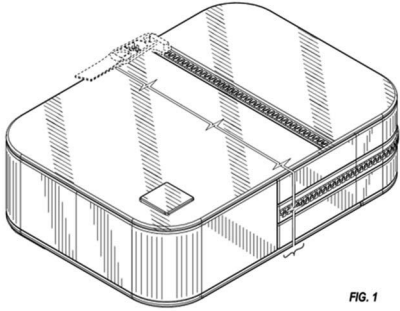
We appreciate your May 4, 2021 response regarding your client, Brixley Bags, LLC ("Brixley Bags"). Your references to Utah Code § 78B-6-1903 suggest you may believe Thread Wallets, LLC ("Thread Wallets") is alleging infringement of a registered patent. That is not the case. As we explained, Thread Wallets has filed a patent application covering the design of its crossbody bag but has not received an issued patent on that application. The purpose of Thread Wallets' letter was to notify Brixley Bags of Thread Wallets' pending rights and open a dialogue about the best path forward for both companies. It would not benefit Brixley Bags to build up its business around the Brixley Crossbody Bag only to face allegations of patent infringement if or when Thread Wallets' patent application issues. Similarly, any consumer confusion caused by the similarities between the Brixley Crossbody Bag and the Thread Crossbody Bag would not be beneficial to either company. By providing Brixley Bags with notice of its pending application, Thread Wallets is giving Brixley Bags an opportunity to re-design its bag in a manner that distinguishes it from Thread Wallets' design before it faces any liability for its sale of or offer to sell the product.

Thread Wallets did not provide the images from its pending application in its previous letter because the scope of the patent may change during prosecution, so the images as filed do not define what the patent will cover if it issues. Furthermore, since the Brixley Crossbody Bag is nearly identical to Thread Wallets' crossbody bag, it is unclear what additional information the figures from Thread Wallets' patent application would provide. Nevertheless, if it would help in your analysis, following is a comparison of the Brixley Crossbody Bag to several of the figures in Thread Wallets' pending patent application:

Scott C. Hilton
KUNZLER BEAN & ADAMSON
May 21, 2021
Page 2

Brixley Crossbody Bag	Thread Wallets Patent Application
	 <p data-bbox="1089 1010 1127 1026">FIG. 4</p>
	 <p data-bbox="1089 1724 1127 1740">FIG. 5</p>

Scott C. Hilton
KUNZLER BEAN & ADAMSON
May 21, 2021
Page 3

Brixley Crossbody Bag	Thread Wallets Patent Application
	 <p data-bbox="1252 856 1284 871">FIG. 1</p>

Again, we provide these figures with the understanding that they may not represent the scope of Thread Wallets' patent if or when it issues. However, as you can see, the figures as filed are consistent with the images of the Thread Crossbody Bag in our previous letter.

We hope that as Utah neighbors, Thread Wallets and Brixley Bags can come to an amicable resolution of this matter. We believe it would be helpful to schedule a call to discuss this matter further. Please advise as to your availability for such a call.

Sincerely,

WORKMAN NYDEGGER



JAMES W. McCONKIE III

JWM:sc
(44117702.1)

From: "Scott Hilton" <scott.hilton@kba.law>

To: "Ethan O'Connell" <ethano1114@gmail.com>

CC: "Lauren Swenson" <lswenson@kba.law>

Date: 5/21/2021 11:47:10 AM

Subject: FW: Thread Wallets, LLC Letter (our

Attachments: 22075-71 2021-05-21 Response Ltr to Scott Hilton re Brixley Bags (44143201.1).pdf

Hi Ethan. We just received the attached letter from Thread Wallets, with additional details about their pending design patent applications, which are fairly broad but will likely issue with the depicted broad scopes (design patent applications rarely receive rejections, but it's possible).

I'll speak with their attorney next Wednesday, unless you object, to see what they propose. What would you think about selling through your existing inventory then changing your design, if it comes to that?

Let me know if you have any questions, or if you'd like to hop on a call to discuss.

Thanks,

Scott



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From: James W. McConkie <jmccconkie@wnlaw.com>

Sent: Friday, May 21, 2021 11:15 AM

To: Scott Hilton <scott.hilton@kba.law>

Cc: scourdy@wnlaw.com

Subject: RE: Thread Wallets, LLC Letter (our

Scott,

Attached is a letter listing some of the additional info you asked for in your recent correspondence. Let me know if you are available for a call next week on Wednesday morning. I think a call to discuss how the parties can resolve their differences would be helpful at this point.

Best,

James W. McConkie III
WORKMAN NYDEGGER
60 East South Temple, Suite 1000

BRIXLEY_006943

Salt Lake City, Utah 84111
Office-Direct: (801) 321-8841
Email jmccconkie@wnlaw.com

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From: Scott Hilton <scott.hilton@kba.law>
Sent: Tuesday, May 4, 2021 6:50 PM
To: James W. McConkie <JMcConkie@WNLaw.com>
Subject: Thread Wallets, LLC Letter (our

Hi James.

We received your letter to Brixley Bags regarding Thread Wallets' pending design patent applications. Please see the attached letter in reply, requesting clarification of the scope of your client's rights, so we can at least preliminarily assess the merits of the allegations.

Best Regards,

Scott



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www.wnlaw.com

James W. McConkie III
(801) 321-8841
jmconkie@wnlaw.com

May 21, 2021

VIA EMAIL

Scott C. Hilton
KUNZLER BEAN & ADAMSON
50 W. Broadway, Suite 1000
Salt Lake City, UT 84101
scott.hilton@kba.law

Re: Thread Wallets, LLC Intellectual Property
WN File: 22075.71

Dear Scott,


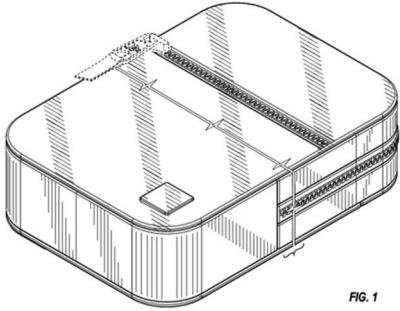
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Scott C. Hilton
KUNZLER BEAN & ADAMSON
May 21, 2021
Page 2

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Scott C. Hilton
KUNZLER BEAN & ADAMSON
May 21, 2021
Page 3

Brixley Crossbody Bag	Thread Wallets Patent Application
	

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Sincerely,

WORKMAN NYDEGGER



JAMES W. McCONKIE III

JWM:sc
(44117702.1)

From: "Ethan O'Connell" <ethano1114@gmail.com>
To: "Scott Hilton" <scott.hilton@kba.law>
Date: 5/21/2021 11:32:58 PM
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

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Thank you,

Ethan O'Connell

On May 21, 2021, at 11:47 AM, Scott Hilton <scott.hilton@kba.law> wrote:

Hi Ethan. We just received the attached letter from Thread Wallets, with additional details about their pending design patent applications, which are fairly broad but will likely issue with the depicted broad scopes (design patent applications rarely receive rejections, but it's possible).

I'll speak with their attorney next Wednesday, unless you object, to see what they propose. What would you think about selling through your existing inventory then changing your design, if it comes to that?

Let me know if you have any questions, or if you'd like to hop on a call to discuss.

Thanks,

Scott

<ATT00001.png>

SCOTT C. HILTON
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From: James W. McConkie <jmccconkie@wnlaw.com>
Sent: Friday, May 21, 2021 11:15 AM

BRIXLEY_006948

To: Scott Hilton <scott.hilton@kba.law>
Cc: scourdy@wnlaw.com
Subject: RE: Thread Wallets, LLC Letter (our

Scott,

Attached is a letter listing some of the additional info you asked for in your recent correspondence. Let me know if you are available for a call next week on Wednesday morning. I think a call to discuss how the parties can resolve their differences would be helpful at this point.

Best,

James W. McConkie III
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60 East South Temple, Suite 1000
Salt Lake City, Utah 84111
Office-Direct: (801) 321-8841
Email jmccconkie@wnlaw.com

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From: Scott Hilton <scott.hilton@kba.law>
Sent: Tuesday, May 4, 2021 6:50 PM
To: James W. McConkie <JMcConkie@WNLaw.com>
Subject: Thread Wallets, LLC Letter (our

Hi James.

We received your letter to Brixley Bags regarding Thread Wallets' pending design patent applications. Please see the attached letter in reply, requesting clarification of the scope of your client's rights, so we can at least preliminarily assess the merits of the allegations.

Best Regards,

Scott

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<22075-71 2021-05-21 Response Ltr to Scott Hilton re Brixley Bags(44143201.1).pdf>

From: "Ethan O'Connell" <ethano1114@gmail.com>

To: "Scott Hilton" <scott.hilton@kba.law>

Date: 5/21/2021 11:45:31 PM

Subject: Re: Thread Wallets, LLC Letter (our

Scott,

To further answer your question, we would not be opposed to changing a few things on the cross body to not infringe on their patent, after selling existing inventory. It sounds like it might be best if we jump on a call before you discuss with him on Wednesday. Let me know what time works best for you, I can make it work.

Thanks again, look forward to speaking.

Ethan

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Thanks,

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<ATT00001.png>

SCOTT C. HILTON
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From: James W. McConkie <jmccconkie@wnlaw.com>
Sent: Friday, May 21, 2021 11:15 AM
To: Scott Hilton <scott.hilton@kba.law>
Cc: scourdy@wnlaw.com
Subject: RE: Thread Wallets, LLC Letter (our

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James W. McConkie III
WORKMAN NYDEGGER
60 East South Temple, Suite 1000
Salt Lake City, Utah 84111
Office-Direct: (801) 321-8841
Email jmccconkie@wnlaw.com

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<22075-71 2021-05-21 Response Ltr to Scott Hilton re Brixley Bags(44143201.1).pdf>

From: "Scott Hilton" <scott.hilton@kba.law>
To: "Ethan O'Connell" <ethano1114@gmail.com>
Date: 5/24/2021 10:41:34 AM
Subject: RE: Thread Wallets, LLC Letter (our

Hi Ethan, happy to hop on a call. Do you have a few minutes this afternoon, or tomorrow after 2 pm?

Thanks,

Scott



SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Friday, May 21, 2021 11:46 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Scott,

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<ATT00001.png>

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Cc: scourdy@wnlaw.com
Subject: RE: Thread Wallets, LLC Letter (our

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BRIXLEY_006955

Wednesday morning. I think a call to discuss how the parties can resolve their differences would be helpful at this point.

Best,

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Salt Lake City, Utah 84111
Office-Direct: (801) 321-8841
Email jmccconkie@wnlaw.com

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From: Scott Hilton <scott.hilton@kba.law>
Sent: Tuesday, May 4, 2021 6:50 PM
To: James W. McConkie <JMcConkie@WNLaw.com>
Subject: Thread Wallets, LLC Letter (our

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<22075-71 2021-05-21 Response Ltr to Scott Hilton re Brixley
Bags(44143201.1).pdf>

From: "Ethan O'Connell" <ethano1114@gmail.com>
To: "Scott Hilton" <scott.hilton@kba.law>
Date: 5/24/2021 1:07:29 PM
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

I am available this afternoon until 3. I am also open tomorrow from 2-3:30. Let me know what works best.

Thank you,

Ethan
801-369-2238

Sent from my iPhone

On May 24, 2021, at 10:41 AM, Scott Hilton <scott.hilton@kba.law> wrote:

Hi Ethan, happy to hop on a call. Do you have a few minutes this afternoon, or tomorrow after 2 pm?

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
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<ATT00001.png>

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Subject: Thread Wallets, LLC Letter (our

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Scott

<ATT00001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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<22075-71 2021-05-21 Response Ltr to Scott Hilton re Brixley
Bags(44143201.1).pdf>

From: "Scott Hilton" <scott.hilton@kba.law>
To: "Ethan O'Connell" <ethano1114@gmail.com>
Date: 5/24/2021 2:21:47 PM
Subject: RE: Thread Wallets, LLC Letter (our

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To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

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BRIXLEY_006965

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From: "Scott Hilton" <scott.hilton@kba.law>
To: "Ethan O'Connell" <ethano1114@gmail.com>
Date: 5/26/2021 4:17:49 PM
Subject: RE: Thread Wallets, LLC Letter (our

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BRIXLEY_006968

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From: Scott Hilton <scott.hilton@kba.law>

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BRIXLEY_006970

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From: "Ethan O'Connell" <ethano1114@gmail.com>
To: "Scott Hilton" <scott.hilton@kba.law>
Date: 6/8/2021 8:22:22 AM
Subject: Re: Thread Wallets, LLC Letter (our

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Date: 6/9/2021 12:47:18 PM
Subject: RE: Thread Wallets, LLC Letter (our

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Sent: Tuesday, June 8, 2021 8:22 AM
To: Scott Hilton <scott.hilton@kba.law>
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<scott.hilton@kba.law> wrote:

Hi Ethan. We just received the attached letter from Thread Wallets, with additional details about their pending design patent applications, which are fairly broad but will likely issue with the depicted broad scopes (design patent applications rarely receive rejections, but it's possible).

I'll speak with their attorney next Wednesday, unless you object, to see what they propose. What would you think about selling through your existing inventory then

changing your design, if it comes to that?

Let me know if you have any questions, or if you'd like to hop on a call to discuss.

Thanks,

Scott

<ATT00001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT:
801.939.3691

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From: James W. McConkie <jmccconkie@wnlaw.com>
Sent: Friday, May 21, 2021 11:15 AM
To: Scott Hilton <scott.hilton@kba.law>
Cc: scourdy@wnlaw.com
Subject: RE: Thread Wallets, LLC Letter (our

Scott,

Attached is a letter listing some of the additional info you asked for in your recent correspondence. Let me know if you are available for a call next week on Wednesday morning. I think a call to discuss how the parties can resolve their differences would be helpful at this point.

Best,

James W. McConkie III
WORKMAN NYDEGGER
60 East South Temple, Suite 1000
Salt Lake City, Utah 84111
Office-Direct: (801) 321-8841

Email jmconkie@wnlaw.com

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From: Scott Hilton <scott.hilton@kba.law>
Sent: Tuesday, May 4, 2021 6:50 PM
To: James W. McConkie <JMcConkie@WNLaw.com>
Subject: Thread Wallets, LLC Letter (our

Hi James.

We received your letter to Brixley Bags regarding Thread Wallets' pending design patent applications. Please see the attached letter in reply, requesting clarification of the scope of your client's rights, so we can at least preliminarily assess the merits of the allegations.

Best Regards,

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<22075-71 2021-05-21 Response Ltr to Scott Hilton re
Brixley Bags(44143201.1).pdf>

BRIXLEY_006983

From: "Scott Hilton" <scott.hilton@kba.law>
To: "Ethan O'Connell" <ethano1114@gmail.com>
Date: 6/15/2021 7:34:15 PM
Subject: RE: Thread Wallets, LLC Letter (our

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From: "Ethan O'Connell" <ethano1114@gmail.com>
To: "Scott Hilton" <scott.hilton@kba.law>
Date: 6/15/2021 10:38:47 PM
Subject: Re: Thread Wallets, LLC Letter (our

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<image001.png>

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BRIXLEY_006988

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<image002.png>

<image003.png>

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Best Regards,

BRIXLEY_006990

Scott

<image001.png>

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From: "James W. McConkie" <jmccconkie@wnlaw.com>
To: scott.hilton@kba.law
CC: scourdy@wnlaw.com
lswenson@kba.law
srupp@wnlaw.com
Date: 6/16/2021 8:40:35 AM
Subject: RE: Thread Wallets, LLC Letter (our

Thank you Scott. Get back to me on design changes your folks are willing to make and we can memorialize things in a letter or by way of agreement. My folks are open to both.

Best,

James W. McConkie III
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To: James W. McConkie <JMcConkie@WNLaw.com>
Cc: Shellie C. Courdy <SCourdy@WNLaw.com>; lswenson@kba.law; Shelise Rupp <SRupp@wnlaw.com>
Subject: RE: Thread Wallets, LLC Letter (our

Thank you James, we'll take those changes into consideration and get back to you. I was also able to consult with my client on the timing for selling through the rest of their inventory, and they expect it to only take a few months, or by the end of the year at the absolute latest.

Best,

Scott



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Cc: scourdy@wnlaw.com; Lauren Swenson <lsvenson@kba.law>; rupp@wnlaw.com

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To: "Ethan O'Connell" <ethano1114@gmail.com>
Date: 6/16/2021 10:42:44 AM
Subject: RE: Thread Wallets, LLC Letter (our

Thanks Ethan. Pictures would be great, please send them over. They're asking for a few more changes than that, but let's take a look and we can make a counter proposal if we think it looks different enough.



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<image001.png>

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<image002.png>

<image003.png>

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BRIXLEY_006997

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Office-Direct: (801) 321-8841
Email jmcconkie@wnlaw.com

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Sent: Tuesday, May 4, 2021 6:50 PM
To: James W. McConkie <JMcConkie@WNLaw.com>
Subject: Thread Wallets, LLC Letter (our

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<image001.png>

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OFFICE: 801.994.4646 DIRECT: 801.939.3691

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Date: 6/17/2021 8:30:30 AM

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BRIXLEY_007002

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Subject: Re: Thread Wallets, LLC Letter (our

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BRIXLEY_007038

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From: James W. McConkie <jmccconkie@wnlaw.com>
Sent: Friday, May 21, 2021 11:15 AM
To: Scott Hilton <scott.hilton@kba.law>
Cc: scourdy@wnlaw.com
Subject: RE: Thread Wallets, LLC Letter (our

Scott,

Attached is a letter listing some of the additional info you asked for in your recent correspondence. Let me know if you are available for a call next week on Wednesday morning. I think a call to discuss how the parties can resolve their differences would be helpful at this point.

Best,

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WORKMAN NYDEGGER
60 East South Temple, Suite 1000
Salt Lake City, Utah 84111
Office-Direct: (801) 321-8841
Email jmccconkie@wnlaw.com

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<image001.png>

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From: "Scott Hilton" <scott.hilton@kba.law>
To: "Ethan O'Connell" <ethano1114@gmail.com>
Date: 6/23/2021 6:44:21 PM
Subject: RE: Thread Wallets, LLC Letter (our

Sounds good Ethan, we'll move forward and let you know how it goes.

Thanks,

Scott



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Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
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Sent: Wednesday, June 23, 2021 6:38 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

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Sent from my iPhone

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<image002.jpg>

<image003.jpg>

<image004.jpg>

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<image001.png>

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Sent: Tuesday, June 15, 2021 10:39 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

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To: Scott Hilton <scott.hilton@kba.law>
Cc: scourdy@wnlaw.com; Lauren Swenson
<lsvenson@kba.law>; srupp@wnlaw.com
Subject: RE: Thread Wallets, LLC Letter (our

Scott,

I've had a chance to discuss some proposed changes to the next generation of the Brixley Crossbody Bag with my client, Thread Wallets LLC. The idea is that if your client is willing to sell off its existing bags and make the changes suggested on or in connection with any future crossbody bag, the parties can respectively move forward marketing, selling and otherwise using their bags. We are open to memorializing the same in a written agreement or by way of a less formal letter agreement listing the above terms and signed / acknowledged by your client. I look forward to hearing from you.

Best,
James

Proposed changes:

- Move / remove the d-rings from the back of the bag in favor of different shaped rings and a different attachment point for the rings.
- Move the Brixley logo / tag to a location different than the location used by Thread. For example, the front branded logo tag should be removed from the bottom right corner and the back branded logo tag needs to be removed from the

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<image002.png>

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Sent: Friday, May 21, 2021 11:52 AM
To: James W. McConkie <JMcConkie@WNLaw.com>
Cc: Shellie C. Courdy <SCourdy@WNLaw.com>;
lswenson@kba.law
Subject: RE: Thread Wallets, LLC Letter (our

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I'm available for a call any time after 9:30 AM next Wednesday to discuss, please feel free to call my direct number (801-939-3691) if there's a time that works for you that morning.

Best,

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From: "Ethan O'Connell" <ethano1114@gmail.com>
To: "Scott Hilton" <scott.hilton@kba.law>
Date: 7/6/2021 8:16:47 AM
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

I hope you had a great 4th of July weekend. I just wanted to touch base with you and see if you were able to get a response back from their attorney, regarding our new design for the crossbody.

Thank you,

Ethan O'Connell

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Sounds good Ethan, we'll move forward and let you know how it goes.

Thanks,

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Email jmccconkie@wnlaw.com

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From: Scott Hilton <scott.hilton@kba.law>

Sent: Friday, May 21, 2021 11:52 AM

To: James W. McConkie

<JMcConkie@WNLaw.com>

Cc: Shellie C. Courdy <SCourdy@WNLaw.com>;

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To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

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Best,
James

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- Move / remove the d-rings from the back of the bag in favor of different shaped rings and a different attachment point for the rings.
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Cc: Shellie C. Courdy <SCourdy@WNLaw.com>; lswenson@kba.law
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Best,

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To: "Scott Hilton" <scott.hilton@kba.law>
Date: 7/7/2021 8:17:58 AM
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Thank you!!

Ethan

On Jul 6, 2021, at 2:51 PM, Scott Hilton <scott.hilton@kba.law> wrote:

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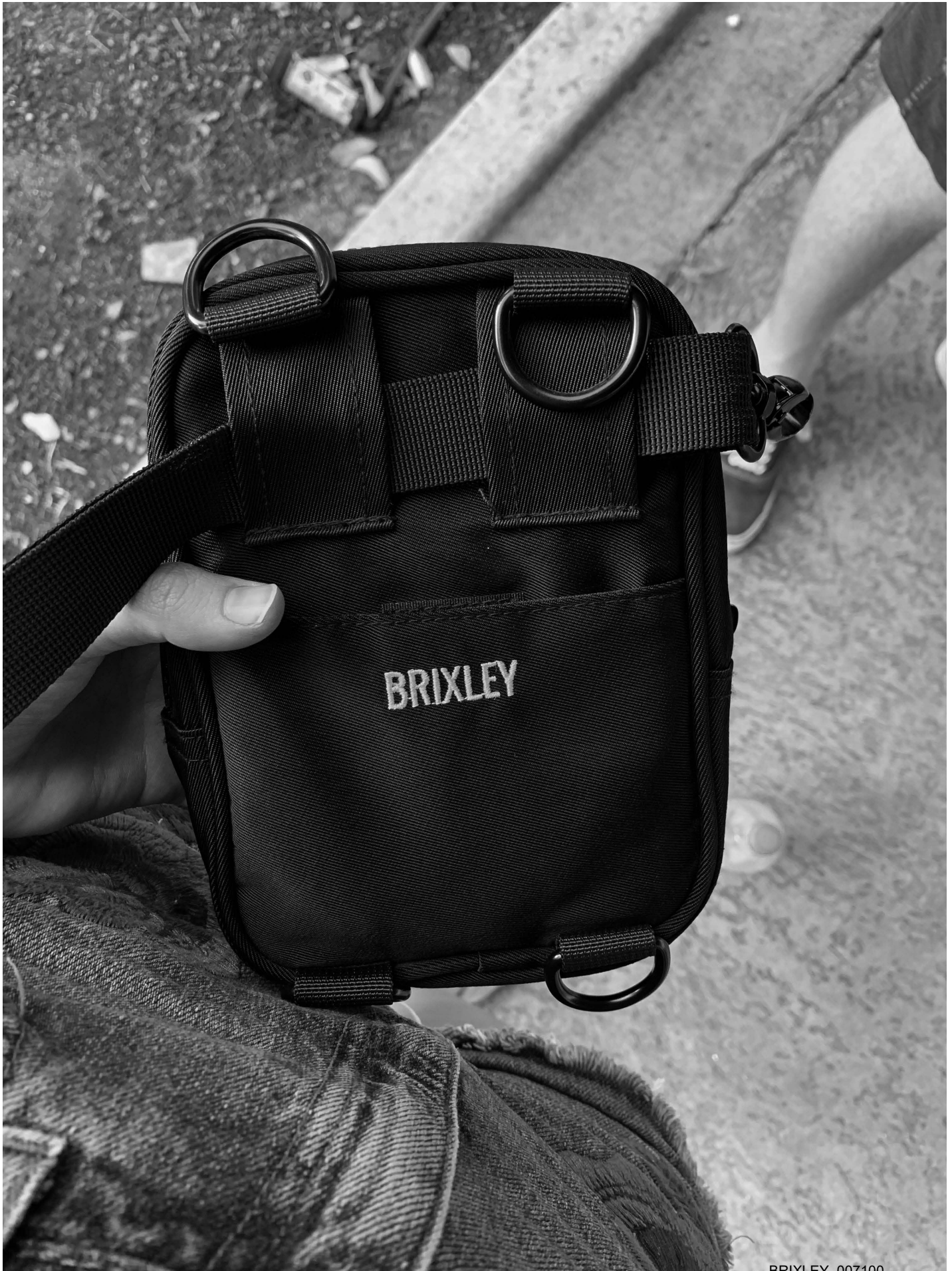
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BRIXLEY_007100



BRIXLEY_007102



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60 East South Temple, Suite 1000
Salt Lake City, Utah 84111
Office-Direct: (801) 321-8841
Email jmccconkie@wnlaw.com

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From: Scott Hilton <scott.hilton@kba.law>
Sent: Tuesday, June 15, 2021 7:32 PM
To: James W. McConkie <JMcConkie@WNLaw.com>
Cc: Shellie C. Courdy <SCourdy@WNLaw.com>; lswenson@kba.law; Shelise Rupp <SRupp@wnlaw.com>
Subject: RE: Thread Wallets, LLC Letter (our

Thank you James, we'll take those changes into consideration and get back to you. I was also able to consult with my client on the timing for selling through the rest of their inventory, and they expect it to only take a few months, or by the end of the year at the absolute latest.

Best,

Scott



SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: James W. McConkie <jmccconkie@wnlaw.com>
Sent: Tuesday, June 15, 2021 5:05 PM
To: Scott Hilton <scott.hilton@kba.law>
Cc: scourdy@wnlaw.com; Lauren Swenson <lsvenson@kba.law>; srupp@wnlaw.com
Subject: RE: Thread Wallets, LLC Letter (our

Scott,

I've had a chance to discuss some proposed changes to the next generation of the Brixley Crossbody Bag with my client, Thread Wallets LLC. The idea is that if your client is willing to sell off its existing bags and make the changes suggested on or in connection with any future crossbody bag, the parties can respectively move forward marketing, selling and otherwise using their bags. We are open to memorializing the same in a written agreement or by way of a less formal letter agreement listing the above terms and signed / acknowledged by your client. I look forward to hearing from you.

Best,
James

Proposed changes:

- Move / remove the d-rings from the back of the bag in favor of different shaped rings and a different attachment point for the rings.
- Move the Brixley logo / tag to a location different than the location used by Thread. For example, the front branded logo tag should be removed from the bottom right corner and the back branded logo tag needs to be removed from the center on the back of the bag.
- Adjust the front zipper placement up or change the orientation of the zipper so as to make it different than the placement or orientation used by Thread.



James W. McConkie III
WORKMAN NYDEGGER
60 East South Temple, Suite 1000
Salt Lake City, Utah 84111
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Email jmccconkie@wnlaw.com

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From: Scott Hilton <scott.hilton@kba.law>
Sent: Friday, May 21, 2021 11:52 AM
To: James W. McConkie <JMcConkie@WNLaw.com>
Cc: Shellie C. Courdy <SCourdy@WNLaw.com>; lswenson@kba.law
Subject: RE: Thread Wallets, LLC Letter (our

Thank you James, that's very helpful.

I'm available for a call any time after 9:30 AM next Wednesday to discuss, please feel free to call my direct number (801-939-3691) if there's a time that works for you that morning.

Best,

Scott



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Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
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Sent: Friday, May 21, 2021 11:15 AM
To: Scott Hilton <scott.hilton@kba.law>
Cc: scourdy@wnlaw.com
Subject: RE: Thread Wallets, LLC Letter (our

Scott,

Attached is a letter listing some of the additional info you asked for in your recent correspondence. Let me know if you are available for a call next week on Wednesday morning. I think a call to discuss how the parties can resolve their differences would be helpful at this point.

Best,

James W. McConkie III
WORKMAN NYDEGGER
60 East South Temple, Suite 1000
Salt Lake City, Utah 84111
Office-Direct: (801) 321-8841
Email jmccconkie@wnlaw.com

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From: Scott Hilton <scott.hilton@kba.law>
Sent: Tuesday, May 4, 2021 6:50 PM
To: James W. McConkie <JMcConkie@WNLaw.com>
Subject: Thread Wallets, LLC Letter (our

Hi James.

We received your letter to Brixley Bags regarding Thread Wallets' pending design patent applications. Please see the attached letter in reply, requesting clarification of the scope of your client's rights, so we can at least preliminarily assess the merits of the allegations.

Best Regards,

Scott



SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
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From: "James W. McConkie" <jmccconkie@wnlaw.com>

To: scott.hilton@kba.law

CC: scourdy@wnlaw.com

lswenson@kba.law

srupp@wnlaw.com

Date: 7/14/2021 10:05:37 AM

Subject: RE: Thread Wallets, LLC Letter (our

Scott,

Thanks. Let me know if you are free next Tuesday at 10:00? If so, I'll send an invite to get on our respective calendars. In the meantime, I'll have our folks take a look at the pics you sent along.

Best,

James W. McConkie III
WORKMAN NYDEGGER
60 East South Temple, Suite 1000
Salt Lake City, Utah 84111
Office-Direct: (801) 321-8841
Email jmccconkie@wnlaw.com

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From: Scott Hilton <scott.hilton@kba.law>

Sent: Wednesday, July 14, 2021 9:31 AM

To: James W. McConkie <JMccConkie@WNLaw.com>

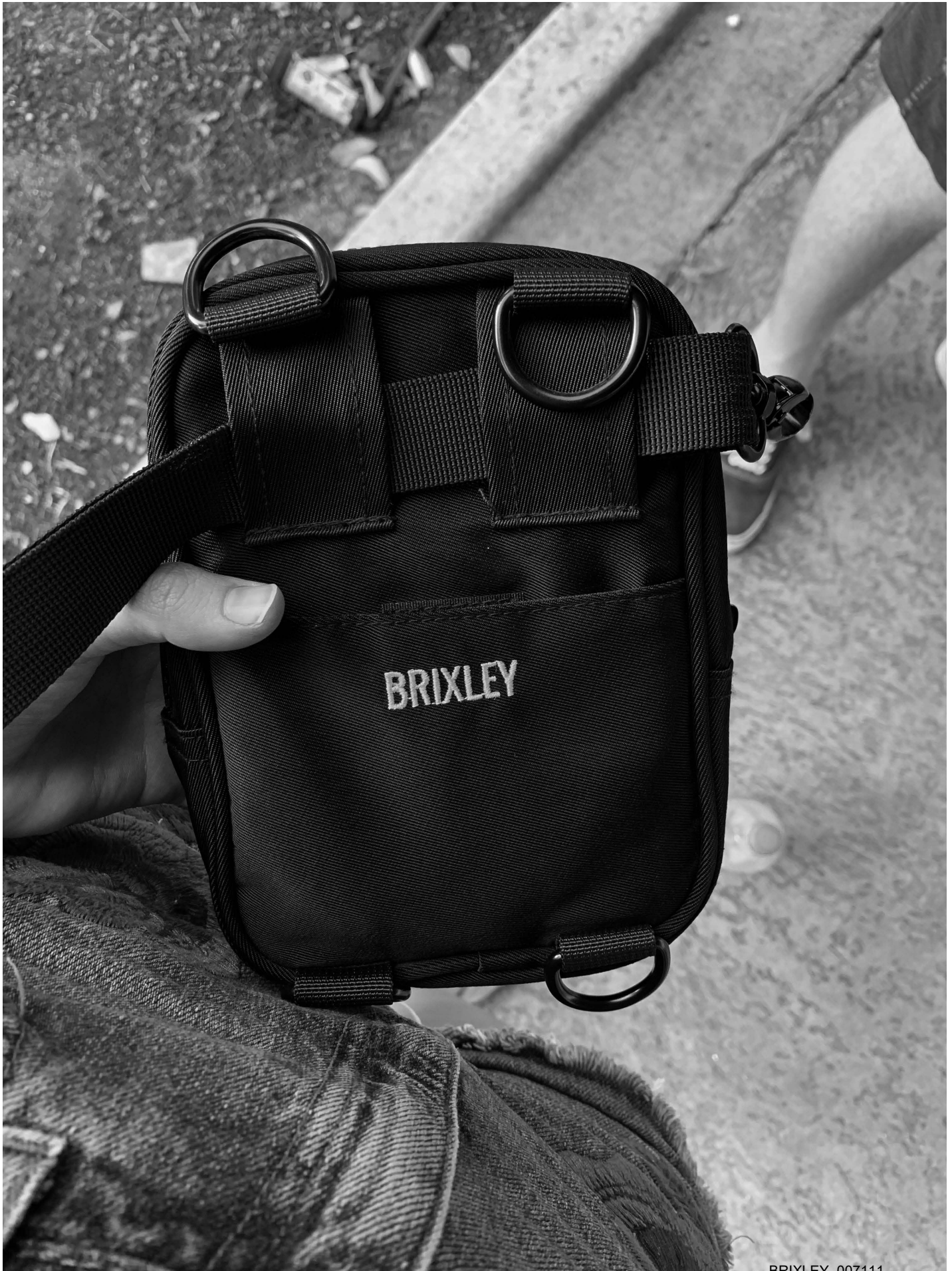
Cc: Shellie C. Courdy <SCourdy@WNLaw.com>; lswenson@kba.law; Shelise Rupp <SRupp@wnlaw.com>

Subject: RE: Thread Wallets, LLC Letter (our

Thanks James. I have time for a call Thursday or Friday afternoon, or most days next week, if you have some time available then.

Prior to your client's suggestions on elements Brixley Bags could change, they'd worked on a new prototype. I hope we can trust you and your client to keep these confidential, reviewing only for purposes of these settlement discussions, but I've included a few photos of the prototype below, to help us wrap this up. The new design has most of the changes you suggested, as well as several additional changes, but as the design was made prior to your suggestions, there are a few that aren't in there. That being said, this prototype design does appear to be substantially different than your client's design, and we'd like to discuss with you whether it might be sufficiently distinct to satisfy your client with regard to their pending IP.

The prototype photos are below, let me know when you'd like to discuss.



BRIXLEY_007111



BRIXLEY_007113



Thanks,

Scott



SCOTT C. HILTON
Partner, Registered Patent Attorney
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From: James W. McConkie <jmccconkie@wnlaw.com>
Sent: Monday, July 12, 2021 4:11 PM
To: Scott Hilton <scott.hilton@kba.law>
Cc: scourdy@wnlaw.com; Lauren Swenson <lsvenson@kba.law>; srupp@wnlaw.com
Subject: RE: Thread Wallets, LLC Letter (our

Scott,

Following up on this matter. Let me know if you are free for a call on Wednesday or Thursday to try and wrap things up.

Best,

James W. McConkie III
WORKMAN NYDEGGER
60 East South Temple, Suite 1000
Salt Lake City, Utah 84111
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Scott



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From: KBA <scott.hilton@kba.law>

To: "Ethan O'Connell" <ethano1114@gmail.com>

Date: 7/14/2021 10:35:43 AM

Subject: Re: Thread Wallets, LLC Letter (our

Quick update, I'll be discussing this with their attorney next Tuesday morning (so far so good).

Thanks,

Scott



SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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On Jul 7, 2021, 8:18 AM -0600, Ethan O'Connell <ethano1114@gmail.com>, wrote:

Thank you!!

Ethan

On Jul 6, 2021, at 2:51 PM, Scott Hilton <scott.hilton@kba.law> wrote:

Hey Ethan. I haven't heard back yet, I'll check with them and see where they're at on this and let you know.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Tuesday, July 6, 2021 8:17 AM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

I hope you had a great 4th of July weekend. I just wanted to touch base with you and see if you were able to get a response back from their attorney, regarding our new design for the crossbody.

Thank you,

Ethan O'Connell

On Wed, Jun 23, 2021 at 6:44 PM Scott Hilton <scott.hilton@kba.law> wrote:

Sounds good Ethan, we'll move forward and let you know how it goes.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Wednesday, June 23, 2021 6:38 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

In regards of filing a design patent, let's just go ahead and show them the new design. Like you said we can just make it confidential. I think that it is smart to share our new design and once we fully develop the new product, we would love to final for a design patent with you.

Let me know what they say!

Thank you,

Ethan

Sent from my iPhone

On Jun 23, 2021, at 10:24 AM, Scott Hilton <scott.hilton@kba.law> wrote:

Sounds good, I'll run it past them and let you know how it goes.

On your question about filing a design patent application, normally it would be a very good idea to file ahead of sharing, but the risk there is that if they do press for other changes, and you decide to make them, the application may not cover the design (potentially requiring another patent application). In this case, since we're only sharing for purposes of settlement negotiations, you will have some protection, and I'll mark them as confidential as well.

That being said, we're absolutely happy to help get a design patent application filed quickly ahead of sharing if you'd like – and if there are further changes, getting two different design patents isn't a bad thing either, so let me know.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Tuesday, June 22, 2021 6:37 PM

To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Thanks for the quick response. I think if we can use the new design that would be best for us. Do you think we would have to file a design patent before we show them? Just don't want to run into any more issues between both of us. Let's show these pictures to their attorneys and we can go from there.

Let me know what they say :)

Thank you,

Ethan

Sent from my iPhone

On Jun 22, 2021, at 4:29 PM, Scott Hilton <scott.hilton@kba.law>
wrote:

Hi Ethan, thanks for following up.

The pictures were helpful, and the new design does look quite a bit different than theirs. The items they might still have issues with are the shape and placement of the d-rings (although the fact you have 4 will help) and the placement of the front zipper.

If you think you can (and would like) to change any of those elements, let's go for it. If you'd rather keep them as they are in this design, I think the other changes might be enough. If that's the case, I recommend I share these images with their attorney with the explanation that this was the redesign you'd already been working on before receiving their suggestions, and ask if those changes are acceptable to Thread Wallets.

Let me know what you think – if using circular or rectangular rings or moving the front zipper further toward the top of the bag are options, I think you've got a slam dunk, but if you'd rather not make those changes I think there's a good chance they'll accept this new design as is.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON

Partner, Registered Patent Attorney

50 W BROADWAY, SUITE 1000

SALT LAKE CITY, UTAH 84101

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From: Ethan O'Connell <ethano1114@gmail.com>

Sent: Tuesday, June 22, 2021 11:06 AM

To: Scott Hilton <scott.hilton@kba.law>

Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

I just wanted to reach out and see if you had a chance to look at the pictures that I have attached in the earlier email. If you need to see more pictures let me know.

Thank you,

Ethan

On Thu, Jun 17, 2021 at 8:30 AM Ethan O'Connell

<ethano1114@gmail.com> wrote:

Hey Scott,

This was just a sample that when have designed the with our manufacturer. We have add a few things as I mentioned in our earlier email. Let me know if you think we should or need to change some other aspects of our crossbody.

Thank you,

Ethan

<image002.jpg>

<image003.jpg>

<image004.jpg>

On Jun 16, 2021, at 10:42 AM, Scott Hilton
<scott.hilton@kba.law> wrote:

Thanks Ethan. Pictures would be great, please send them over. They're asking for a few more changes than that, but let's take a look and we can make a counter proposal if we think it looks different enough.

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent
Attorney
50 W BROADWAY, SUITE
1000
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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Tuesday, June 15, 2021 10:39 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Thank you for letting me know this. We have changed a few things on the bag, which include different placement of logo, added one more d-ring. We also added a functionality to make it a fanny pack. This has moved the pocket on the back lower. Do you think this is enough? I can also send you some pictures if that would help.

Let me know what is best for you,

Ethan

Sent from my iPhone

On Jun 15, 2021, at 7:34 PM, Scott Hilton
<scott.hilton@kba.law> wrote:

Hi Ethan. The Thread Wallets attorney got back to me today on their suggestions, and they're along the lines of what we guessed (shape/location of d-rings, location of tag, placement of front zipper). We can discuss, but let me know if any of those items are deal breakers and we can push back (like maybe the location of the d-rings, if that's essential for the functionality).

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent Attorney

50 W
BROADWAY,
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From: James W. McConkie
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To: Scott Hilton <scott.hilton@kba.law>

BRIXLEY_007127

Cc: scourdy@wnlaw.com; Lauren Swenson
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<image002.png>

<image003.png>

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Subject: RE: Thread Wallets, LLC Letter (our

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free to call my direct number
(801-939-3691) if there's a time that works
for you that morning.

Best,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE CITY,
UTAH 84101

OFFICE:
801.994.4646
DIRECT:
801.939.3691

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<jmccconkie@wnlaw.com>
Sent: Friday, May 21, 2021 11:15 AM
To: Scott Hilton <scott.hilton@kba.law>
Cc: scourdy@wnlaw.com
Subject: RE: Thread Wallets, LLC Letter (our

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Email jmccconkie@wnlaw.com

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To: "Scott Hilton" <scott.hilton@kba.law>

Date: 7/14/2021 4:11:11 PM

Subject: Re: Thread Wallets, LLC Letter (our

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<20B75231325845249A31CFF92800EC8D.png>

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Thank you,

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<image003.jpg>

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<image001.png>

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<ethano1114@gmail.com>
Sent: Tuesday, June 15, 2021 10:39 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Thank you for letting me know this. We have changed a few things on the bag, which include different placement of logo, added one more d-ring. We also added a functionality to make it a fanny pack. This has moved the pocket on the back lower. Do you think this is enough? I can also send you some pictures if that would help.

Let me know what is best for you,

Ethan

Sent from my iPhone

On Jun 15, 2021, at 7:34 PM, Scott Hilton <scott.hilton@kba.law> wrote:

Hi Ethan. The Thread Wallets attorney got back to me today on their suggestions, and they're along the lines of what we guessed (shape /location of d-rings, location of tag, placement of front zipper). We can discuss, but let me know if any of those items are deal breakers and we can push back (like maybe the location of the d-rings, if that's essential for the functionality).

Thanks,

Scott

<image001.png>

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From: James W. McConkie

<jmccconkie@wnlaw.com>

Sent: Tuesday, June 15, 2021 5:05 PM

To: Scott Hilton

<scott.hilton@kba.law>

Cc: scourdy@wnlaw.com; Lauren

Swenson <lswenson@kba.law>;

srupp@wnlaw.com

Subject: RE: Thread Wallets, LLC
Letter (our

Scott,

I've had a chance to discuss some proposed changes to the next generation of the Brixley Crossbody Bag with my client, Thread Wallets LLC. The idea is that if your client is

willing to sell off its existing bags and make the changes suggested on or in connection with any future crossbody bag, the parties can respectively move forward marketing, selling and otherwise using their bags. We are open to memorializing the same in a written agreement or by way of a less formal letter agreement listing the above terms and signed / acknowledged by your client. I look forward to hearing from you.

Best,
James

Proposed changes:

- Move / remove the d-rings from the back of the bag in favor of different shaped rings and a different attachment point for the rings.
- Move the Brixley logo / tag to a location different than the location used by Thread. For example, the front branded logo tag should be removed from the bottom right corner and the back branded logo tag needs to be removed from the center on the back of the bag.
- Adjust the front zipper placement up or change the orientation of the zipper so as to make it different than the placement or orientation used by Thread.

<image002.png>

<image003.png>

James W. McConkie III

WORKMAN NYDEGGER
60 East South Temple, Suite 1000
Salt Lake City, Utah 84111
Office-Direct: (801) 321-8841
Email jmccconkie@wnlaw.com

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From: Scott Hilton
<scott.hilton@kba.law>
Sent: Friday, May 21, 2021 11:52 AM
To: James W. McConkie
<JMcConkie@WNLaw.com>
Cc: Shellie C. Courdy
<SCourdy@WNLaw.com>;
lsvenson@kba.law
Subject: RE: Thread Wallets, LLC
Letter (our

Thank you James, that's very helpful.

I'm available for a call any time after
9:30 AM next Wednesday to discuss,
please feel free to call my direct
number (801-939-3691) if there's a
time that works for you that morning.

Best,

Scott

<image001.png>

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From: "Scott Hilton" <scott.hilton@kba.law>
To: "Ethan O'Connell" <ethano1114@gmail.com>
Date: 7/20/2021 10:25:18 AM
Subject: RE: Thread Wallets, LLC Letter (our

Hi Ethan. I was able to speak to their attorneys this morning. They wanted me to tell you how much they appreciate the way Brixley has handled this so far.

They think the new design is mostly acceptable, and checks most of the boxes, but wanted you to consider moving the D-rings from the top/bottom shorter sides, to the left/right longer sides (since the D-ring placement is still the same). I pointed out that you now have 4 rings, which they said was helpful, but they still wanted you to consider that last change (they liked the other changes, including the belt loops, the logo movement, and the slightly higher zipper).

If moving the placement of the D-rings to the sides isn't acceptable for you, I asked about using rings of a different shape (rectangle, triangle, circle, etc.) and they thought that might be a compromise that would work as well.

Let me know what you think, or if you have a counter proposal. We're getting close on this.

Thanks,

Scott



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From: Ethan O'Connell
<ethano1114@gmail.com>
Sent: Tuesday, June 15, 2021 10:39 PM
To: Scott Hilton
<scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Thank you for letting me know this.
We have changed a few things on the bag, which include different placement of logo, added one more d-ring. We also added a functionality

to make it a fanny pack. This has moved the pocket on the back lower. Do you think this is enough? I can also send you some pictures if that would help.

Let me know what is best for you,

Ethan

Sent from my iPhone

On Jun 15, 2021, at 7:34 PM, Scott Hilton
<scott.hilton@kba.law>
wrote:

Hi Ethan. The Thread Wallets attorney got back to me today on their suggestions, and they're along the lines of what we guessed (shape /location of d-rings, location of tag, placement of front zipper). We can discuss, but let me know if any of those items are deal breakers and we can push back (like maybe the location of the d-rings, if that's essential for the functionality).

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101
OFFICE:
801.994.4646
DIRECT:
801.939.3691

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From: James W.
McConkie
<jmccconkie@wnlaw.com>
>
Sent: Tuesday, June 15,
2021 5:05 PM
To: Scott Hilton
<scott.hilton@kba.law>
Cc: scourdy@wnlaw.com;
Lauren Swenson
<lsvenson@kba.law>;
srupp@wnlaw.com
Subject: RE: Thread
Wallets, LLC Letter (our

Scott,
I've had a chance to
discuss some proposed
changes to the next
generation of the Brixley
Crossbody Bag with my
client, Thread Wallets
LLC. The idea is that if

your client is willing to sell off its existing bags and make the changes suggested on or in connection with any future crossbody bag, the parties can respectively move forward marketing, selling and otherwise using their bags. We are open to memorializing the same in a written agreement or by way of a less formal letter agreement listing the above terms and signed / acknowledged by your client. I look forward to hearing from you.

Best,
James

Proposed changes:

- Move / remove the d-rings from the back of the bag in favor of different shaped rings and a different attachment point for the rings.
- Move the Brixley logo / tag to a location different than the location used by Thread. For example, the front branded logo tag should be removed from the bottom right corner and the back branded logo

- tag needs to be removed from the center on the back of the bag.
- Adjust the front zipper placement up or change the orientation of the zipper so as to make it different than the placement or orientation used by Thread.

<image002.png>

<image003.png>

James W. McConkie III
WORKMAN NYDEGGER
60 East South Temple, Suite
1000
Salt Lake City, Utah 84111
Office-Direct: (801) 321-8841
Email jmccconkie@wnlaw.com

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sole use of the intended recipient.
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distribution is prohibited and may
be unlawful.*

From: Scott Hilton
<scott.hilton@kba.law>
Sent: Friday, May 21,
2021 11:52 AM
To: James W. McConkie
<JMcConkie@WNLaw.com>
Cc: Shellie C. Courdy
<SCourdy@WNLaw.com>; lswenson@kba.law
Subject: RE: Thread
Wallets, LLC Letter (our

Thank you James, that's
very helpful.

I'm available for a call any
time after 9:30 AM next
Wednesday to discuss,
please feel free to call my
direct number
(801-939-3691) if there's
a time that works for you
that morning.

Best,

Scott

<image001.png>

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Attorney

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2021 11:15 AM
To: Scott Hilton
<scott.hilton@kba.law>
Cc: scourdy@wnlaw.com
Subject: RE: Thread
Wallets, LLC Letter (our

Scott,

Attached is a letter listing
some of the additional
info you asked for in your
recent correspondence.
Let me know if you are
available for a call next
week on Wednesday
morning. I think a call to
discuss how the parties
can resolve their
differences would be
helpful at this point.

Best,

James W. McConkie III
WORKMAN NYDEGGER
60 East South Temple, Suite
1000
Salt Lake City, Utah 84111
Office-Direct: (801) 321-8841
Email jmccconkie@wnlaw.com

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From: Scott Hilton
<scott.hilton@kba.law>
Sent: Tuesday, May 4,
2021 6:50 PM

To: James W. McConkie
<JMcConkie@WNLaw.com>

Subject: Thread Wallets,
LLC Letter (our

Hi James.

We received your letter to
Brixley Bags regarding
Thread Wallets' pending
design patent
applications. Please see
the attached letter in
reply, requesting
clarification of the scope
of your client's rights, so
we can at least
preliminarily assess the
merits of the allegations.

Best Regards,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
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From: "Ethan O'Connell" <ethano1114@gmail.com>
To: "Scott Hilton" <scott.hilton@kba.law>
Date: 7/20/2021 10:49:44 AM
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Thank you for speaking with them. I feel like we are in a good spot. I wanted to point out to you that other crossbodys on the market also use the D ring. I will attach Adidas crossbody, there are several more that use it. It's is very common and widely used with crossbodys across the industry. Can you suggest to them that since we are using 4 rings now, it will be a nice compromise. We are trying to establish a different look.

<https://www.tillys.com/product/adidas-originals-festival-crossbody-bag/384906100.html>

Thank you,

Ethan

On Jul 20, 2021, at 10:25 AM, Scott Hilton <scott.hilton@kba.law> wrote:

Hi Ethan. I was able to speak to their attorneys this morning. They wanted me to tell you how much they appreciate the way Brixley has handled this so far.

They think the new design is mostly acceptable, and checks most of the boxes, but wanted you to consider moving the D-rings from the top/bottom shorter sides, to the left/right longer sides (since the D-ring placement is still the same). I pointed out that you now have 4 rings, which they said was helpful, but they still wanted you to consider that last change (they liked the other changes, including the belt loops, the logo movement, and the slightly higher zipper).

If moving the placement of the D-rings to the sides isn't acceptable for you, I asked about using rings of a different shape (rectangle, triangle, circle, etc.) and they thought that might be a compromise that would work as well.

Let me know what you think, or if you have a counter proposal. We're getting close on this.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101

OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Wednesday, July 14, 2021 4:11 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

This is fantastic! Let me know how it goes. we want to put in an order with manufacture soon. If they are okay with our changes, we would love to file a design patent with you.

Thank you,

Ethan

On Jul 14, 2021, at 10:36 AM, Scott Hilton <scott.hilton@kba.law> wrote:

Quick update, I'll be discussing this with their attorney next Tuesday morning (so far so good).

Thanks,

Scott

<20B75231325845249A31CFF92800EC8D.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
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On Jul 7, 2021, 8:18 AM -0600, Ethan O'Connell <ethano1114@gmail.com>, wrote:

Thank you!!

Ethan

On Jul 6, 2021, at 2:51 PM, Scott Hilton <scott.hilton@kba.law> wrote:

Hey Ethan. I haven't heard back yet, I'll check with them and see where they're at on this and let you know.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
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From: Ethan O'Connell <ethano1114@gmail.com>

Sent: Tuesday, July 6, 2021 8:17 AM

To: Scott Hilton <scott.hilton@kba.law>

Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

I hope you had a great 4th of July weekend. I just wanted to touch base with you and see if you were able to get a response back from their attorney, regarding our new design for the crossbody.

Thank you,

Ethan O'Connell

On Wed, Jun 23, 2021 at 6:44 PM Scott Hilton <scott.hilton@kba.law>
wrote:

Sounds good Ethan, we'll move forward and let you know how it goes.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>

Sent: Wednesday, June 23, 2021 6:38 PM

To: Scott Hilton <scott.hilton@kba.law>

Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

In regards of filing a design patent, let's just go ahead and show them the new design. Like you said we can just make it confidential. I think that it is smart to share our new design and once we fully develop the new product, we would love to final for a design patent with you.

Let me know what they say!

Thank you,

Ethan

Sent from my iPhone

On Jun 23, 2021, at 10:24 AM, Scott Hilton
<scott.hilton@kba.law> wrote:

Sounds good, I'll run it past them and let you know how it goes.

On your question about filing a design patent application, normally it would be a very good idea to file ahead of sharing, but the risk there is that if they do press for other changes, and you decide to make them, the application may not cover the design (potentially requiring another patent application). In this case, since we're only sharing for purposes of settlement negotiations, you will have some protection, and I'll mark them as confidential as well.

That being said, we're absolutely happy to help get a design patent application filed quickly ahead of sharing if you'd like – and if there are further changes, getting two different design patents isn't a bad thing either, so let me know.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
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BRIXLEY_007166

From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Tuesday, June 22, 2021 6:37 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Thanks for the quick response. I think if we can use the new design that would be best for us. Do you think we would have to file a design patent before we show them? Just don't want to run into any more issues between both of us. Let's show these pictures to their attorneys and we can go from there.

Let me know what they say :)

Thank you,

Ethan

Sent from my iPhone

On Jun 22, 2021, at 4:29 PM, Scott Hilton
<scott.hilton@kba.law> wrote:

Hi Ethan, thanks for following up.

The pictures were helpful, and the new design does look quite a bit different than theirs. The items they might still have issues with are the shape and placement of the d-rings (although the fact you have 4 will help) and the placement of the front zipper.

If you think you can (and would like) to change any of those elements, let's go for it. If you'd rather keep them as they are in this design, I think the other changes might be enough. If that's the case, I recommend I share these images with their attorney with the explanation that this was the redesign you'd already been working on before receiving their suggestions, and ask if those changes are acceptable to

Thread Wallets.

Let me know what you think – if using circular or rectangular rings or moving the front zipper further toward the top of the bag are options, I think you've got a slam dunk, but if you'd rather not make those changes I think there's a good chance they'll accept this new design as is.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered
Patent Attorney

50 W BROADWAY,
SUITE 1000
SALT LAKE CITY, UTAH
84101

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From: Ethan O'Connell
<ethano1114@gmail.com>
Sent: Tuesday, June 22, 2021 11:06 AM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

I just wanted to reach out and see if you had a chance to look at the pictures that I have attached in the earlier email. If you need

to see more pictures let me know.

Thank you,

Ethan

On Thu, Jun 17, 2021 at 8:30 AM Ethan
O'Connell <ethano1114@gmail.com> wrote:

Hey Scott,

This was just a sample that when have
designed the with our manufacturer. We have
add a few things as I mentioned in our earlier
email. Let me know if you think we should or
need to change some other aspects of our
crossbody.

Thank you,

Ethan

<image002.jpg>

<image003.jpg>

<image004.jpg>

On Jun 16, 2021, at 10:42 AM,
Scott Hilton
<scott.hilton@kba.law> wrote:

Thanks Ethan. Pictures would be
great, please send them over.
They're asking for a few more
changes than that, but let's take
a look and we can make a
counter proposal if we think it
looks different enough.

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
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To: Scott Hilton
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Subject: Re: Thread Wallets, LLC
Letter (our

Hey Scott,

Thank you for letting me know this. We have changed a few things on the bag, which include different placement of logo, added one more d-ring. We also added a functionality to make it a fanny pack. This has moved the

pocket on the back lower. Do you think this is enough? I can also send you some pictures if that would help.

Let me know what is best for you,

Ethan

Sent from my iPhone

On Jun 15, 2021, at 7:34 PM, Scott Hilton
<scott.hilton@kba.la> wrote:

Hi Ethan. The Thread Wallets attorney got back to me today on their suggestions, and they're along the lines of what we guessed (shape /location of d-rings, location of tag, placement of front zipper). We can discuss, but let me know if any of those items are deal breakers and we can push back (like maybe the location of the d-rings, if that's essential for the functionality).

Thanks,

Scott

<image001.png>

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Cc:
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; Lauren Swenson
<lsvenson@kba.law>
>;
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Subject: RE: Thread
Wallets, LLC Letter

(our

Scott,

I've had a chance to discuss some proposed changes to the next generation of the Brixley Crossbody Bag with my client, Thread Wallets LLC. The idea is that if your client is willing to sell off its existing bags and make the changes suggested on or in connection with any future crossbody bag, the parties can respectively move forward marketing, selling and otherwise using their bags. We are open to memorializing the same in a written agreement or by way of a less formal letter agreement listing the above terms and signed / acknowledged by your client. I look forward to hearing from you.

Best,

James

Proposed changes:

- Move /

- remove the d-rings from the back of the bag in favor of different shaped rings and a different attachment point for the rings.
- Move the Brixley logo / tag to a location different than the location used by Thread. For example, the front branded logo tag should be removed from the bottom right corner and the back branded logo tag needs to be removed from the center on the back of the bag.
- Adjust the front zipper placement up or change the orientation of the zipper so as to make it different than the placement or orientation

- used by Thread.

<image002.png>

<image003.png>

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Email
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To: James W. McConkie
<JMcConkie@WNLa.w.com>
Cc: Shellie C. Courdy
<SCourdy@WNLaw.com>;
lswenson@kba.law
Subject: RE: Thread
Wallets, LLC Letter
(our

Thank you James,
that's very helpful.

I'm available for a call any time after 9:30 AM next Wednesday to discuss, please feel free to call my direct number (801-939-3691) if there's a time that works for you that morning.

Best,

Scott

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Subject: RE: Thread
Wallets, LLC Letter
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Scott,

Attached is a letter
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call to discuss how
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Best,

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60 East South Temple,
Suite 1000
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Email

jmconkie@wnlaw.com

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From: Scott Hilton

<scott.hilton@kba.la

[w](mailto:scott.hilton@kba.la)>

Sent: Tuesday, May 4, 2021 6:50 PM

To: James W.

McConkie

<JMcConkie@WNLa

[w.com](mailto:JMcConkie@WNLa)>

Subject: Thread

Wallets, LLC Letter

(our

Hi James.

We received your letter to Brixley Bags regarding Thread Wallets' pending design patent applications. Please see the attached letter in reply, requesting clarification of the scope of your client's rights, so we can at least preliminarily assess the merits of the allegations.

Best Regards,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
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Patent
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contents hereof.

From: "Scott Hilton" <scott.hilton@kba.law>
To: "Ethan O'Connell" <ethano1114@gmail.com>
Date: 7/20/2021 11:17:50 AM
Subject: RE: Thread Wallets, LLC Letter (our

Thanks Ethan. That Adidas bag doesn't really help our argument, since it's the placement of the D-rings that they have the problem with (not the use of D-rings themselves – that part was my counter to allow you to leave the rings in the same places). If you'd rather not change the location of the D-rings, we can counter that the other design changes are enough, which they may or may not agree with.

What if you only move the bottom to D-rings to the side (we can argue that moving the top two would place them in the way of the belt loops), would something like that work?

Thanks,

Scott



SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
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Sent: Tuesday, July 20, 2021 10:50 AM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

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<https://www.tillys.com/product/adidas-originals-festival-crossbody-bag/384906100.html>

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Let me know what you think, or if you have a counter proposal. We're getting close on this.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
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OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>

Sent: Wednesday, July 14, 2021 4:11 PM

To: Scott Hilton <scott.hilton@kba.law>

Subject: Re: Thread Wallets, LLC Letter (our

This is fantastic! Let me know how it goes. we want to put in an order with manufacture soon. If they are okay with our changes, we would love to file a design patent with you.

Thank you,

Ethan

On Jul 14, 2021, at 10:36 AM, Scott Hilton <scott.hilton@kba.law> wrote:

Quick update, I'll be discussing this with their attorney next Tuesday morning (so far so good).

Thanks,

Scott

<20B75231325845249A31CFF92800EC8D.png>

SCOTT C. HILTON

Partner, Registered Patent
Attorney

50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101

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Ethan

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Hey Ethan. I haven't heard back yet, I'll check with them and see where they're at on this and let you know.

Thanks,

Scott



SCOTT C. HILTON
Partner, Registered Patent Attorney
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Thank you,

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Sounds good Ethan, we'll move forward and let you know how it goes.

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Scott



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settlement negotiations, you will have some protection, and I'll mark them as confidential as well.

That being said, we're absolutely happy to help get a design patent application filed quickly ahead of sharing if you'd like – and if there are further changes, getting two different design patents isn't a bad thing either, so let me know.

Thanks,

Scott

<image001.png>

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Sent from my iPhone

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Let me know what you think – if using circular or rectangular rings or moving the front zipper further toward the top of the bag are options, I think you've got a slam dunk, but if you'd rather not make those changes I think there's a good chance they'll accept this new design as is.

Thanks,

Scott

<image001.png>

SCOTT C.
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Patent Attorney

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CITY, UTAH
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From: Ethan O'Connell
<ethano1114@gmail.com>
Sent: Tuesday, June 22, 2021 11:06 AM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter
(our

Hey Scott,

I just wanted to reach out and see if you had a chance to look at the pictures that I have attached in the earlier email. If you need to see more pictures let me know.

Thank you,

Ethan

On Thu, Jun 17, 2021 at 8:30 AM Ethan O'Connell <ethano1114@gmail.com> wrote:

Hey Scott,

This was just a sample that when have designed the with our manufacturer. We have add a few things as I mentioned in our earlier email. Let me know if you think we should or need to change some other aspects of our crossbody.

Thank you,

Ethan

<image002.jpg>

<image003.jpg>

<image004.jpg>

On Jun 16, 2021, at 10:42 AM, Scott Hilton <scott.hilton@kba.law> wrote:

Thanks Ethan. Pictures would be great, please send them over. They're asking for a few more changes than that, but let's take a look and we can make a counter proposal if we think it looks different enough.

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

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From: Ethan O'Connell
<ethano1114@gmail.com>
>

Sent: Tuesday, June 15,
2021 10:39 PM
To: Scott Hilton
<scott.hilton@kba.law>
Subject: Re: Thread
Wallets, LLC Letter (our

Hey Scott,

Thank you for letting me know this. We have changed a few things on the bag, which include different placement of logo, added one more d-ring. We also added a functionality to make it a fanny pack. This has moved the pocket on the back lower. Do you think

this is enough? I can also
send you some pictures if
that would help.

Let me know what is best
for you,

Ethan

Sent from my iPhone

On Jun 15,
2021, at 7:34
PM, Scott
Hilton
<scott.hilton@kba.law>
wrote:

Hi Ethan. The
Thread
Wallets
attorney got
back to me
today on
their
suggestions,
and they're
along the
lines of what
we guessed
(shape
/location of
d-rings,
location of
tag,
placement of
front zipper).
We can
discuss, but
let me know
if any of
those items

are deal
breakers and
we can push
back (like
maybe the
location of
the d-rings, if
that's
essential for
the
functionality).

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
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CITY, UTAH
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From: James

BRIXLEY_007192

W. McConkie
<jmccconkie@wnlaw.com>

Sent:

Tuesday,
June 15, 2021
5:05 PM

To: Scott
Hilton
<scott.hilton@kba.law>

Cc:
scourdy@wnlaw.com;

Lauren
Swenson
<lswenson@kba.law>;
srupp@wnlaw.com

Subject: RE:
Thread
Wallets, LLC
Letter (our

Scott,
I've had a chance to discuss some proposed changes to the next generation of the Brixley Crossbody Bag with my client, Thread Wallets LLC. The idea is that if your client is willing to sell off its existing bags

and make the changes suggested on or in connection with any future crossbody bag, the parties can respectively move forward marketing, selling and otherwise using their bags. We are open to memorializing the same in a written agreement or by way of a less formal letter agreement listing the above terms and signed / acknowledged by your client. I look forward to hearing from you.

Best,
James

Proposed
changes:

- Move / remove the d-rings from the back of the bag in favor of different shaped rings and a different attachment point for the rings.
- Move the Brixley logo / tag to a location different than the location used by Thread. For example, the front branded logo

- tag
should
be
remove
d from
the
bottom
right
corner
and the
back
brande
d logo
tag
needs
to be
remove
d from
the
center
on the
back of
the
bag.
- Adjust
the
front
zipper
placem
ent up
or
change
the
orienta
tion of
the
zipper
so as
to
make it
differe
nt than
the
placem

- ent or
orienta
tion
used
by
Thread.

<image002.p
ng>

<image003.p
ng>

James W.
McConkie III
WORKMAN
NYDEGGER
60 East South
Temple, Suite
1000
Salt Lake City,
Utah 84111
Office-Direct:
(801) 321-8841
Email
[jmccconkie@wnl
aw.com](mailto:jmccconkie@wnl
aw.com)

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may be unlawful.*

From: Scott
Hilton
<[scott.hilton
@kba.law](mailto:scott.hilton
@kba.law)>
Sent: Friday,
May 21, 2021

11:52 AM

To: James W.
McConkie

<JMcConkie@WNLaw.com

m>

Cc: Shellie C.
Courdy

<SCourdy@WNLaw.com

>;

lswenson@kba.law

Subject: RE:
Thread
Wallets, LLC
Letter (our

Thank you
James, that's
very helpful.

I'm available
for a call any
time after
9:30 AM next
Wednesday
to discuss,
please feel
free to call
my direct
number
(801-939-369
1) if there's a
time that
works for you
that morning.

Best,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
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From: James
W. McConkie
<jmccconkie@wnlaw.com>
Sent: Friday,
May 21, 2021
11:15 AM
To: Scott
Hilton
<scott.hilton@kba.law>
Cc:
scourdy@wnlaw.com
Subject: RE:
Thread
Wallets, LLC
Letter (our

Scott,

Attached is a letter listing some of the additional info you asked for in your recent correspondence. Let me know if you are available for a call next week on Wednesday morning. I think a call to discuss how the parties can resolve their differences would be helpful at this point.

Best,

James W.
McConkie III
WORKMAN
NYDEGGER
60 East South
Temple, Suite
1000
Salt Lake City,
Utah 84111
Office-Direct:
(801) 321-8841
Email
[jmccconkie@wnl
aw.com](mailto:jmccconkie@wnl
aw.com)

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unauthorized
review, use, or
distribution is
prohibited and
may be unlawful.*

From: Scott
Hilton
<scott.hilton@kba.law>

Sent:
Tuesday, May
4, 2021 6:50
PM

To: James W.
McConkie
<[JMcConkie@WNLaw.co](mailto:JMcConkie@WNLaw.com)
[m](mailto:JMcConkie@WNLaw.com)>

Subject:
Thread
Wallets, LLC
Letter (our

Hi James.

We received
your letter to
Brixley Bags
regarding
Thread
Wallets'
pending
design patent
applications.
Please see
the attached
letter in reply,
requesting
clarification
of the scope
of your

client's rights,
so we can at
least
preliminarily
assess the
merits of the
allegations.

Best Regards,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
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From: "Ethan O'Connell" <ethano1114@gmail.com>
To: "Scott Hilton" <scott.hilton@kba.law>
Date: 7/20/2021 12:41:26 PM
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Let's see if we can use what we currently newly developed. If that doesn't work we can speak with our manufacturer about possibly changing the shape of the ring. Let me know if you think that would work. And what they say.

Thank you,

Ethan

Sent from my iPhone

On Jul 20, 2021, at 11:17 AM, Scott Hilton <scott.hilton@kba.law> wrote:

Thanks Ethan. That Adidas bag doesn't really help our argument, since it's the placement of the D-rings that they have the problem with (not the use of D-rings themselves – that part was my counter to allow you to leave the rings in the same places). If you'd rather not change the location of the D-rings, we can counter that the other design changes are enough, which they may or may not agree with.

What if you only move the bottom to D-rings to the side (we can argue that moving the top two would place them in the way of the belt loops), would something like that work?

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
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SALT LAKE CITY, UTAH 84101
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Sent: Tuesday, July 20, 2021 10:50 AM

BRIXLEY_007204

To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Thank you for speaking with them. I feel like we are in a good spot. I wanted to point out to you that other crossbodies on the market also use the D ring. I will attach Adidas crossbody, there are several more that use it. It's is very common and widely used with crossbodies across the industry. Can you suggest to them that since we are using 4 rings now, it will be a nice compromise. We are trying to establish a different look.

<https://www.tillys.com/product/adidas-originals-festival-crossbody-bag/384906100.html>

Thank you,

Ethan

On Jul 20, 2021, at 10:25 AM, Scott Hilton <scott.hilton@kba.law> wrote:

Hi Ethan. I was able to speak to their attorneys this morning. They wanted me to tell you how much they appreciate the way Brixley has handled this so far.

They think the new design is mostly acceptable, and checks most of the boxes, but wanted you to consider moving the D-rings from the top/bottom shorter sides, to the left/right longer sides (since the D-ring placement is still the same). I pointed out that you now have 4 rings, which they said was helpful, but they still wanted you to consider that last change (they liked the other changes, including the belt loops, the logo movement, and the slightly higher zipper).

If moving the placement of the D-rings to the sides isn't acceptable for you, I asked about using rings of a different shape (rectangle, triangle, circle, etc.) and they thought that might be a compromise that would work as well.

Let me know what you think, or if you have a counter proposal. We're getting close on this.

Thanks,

Scott

<image001.png>

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Thank you,

Ethan

On Jul 14, 2021, at 10:36 AM, Scott Hilton <scott.hilton@kba.law> wrote:

Quick update, I'll be discussing this with their attorney next Tuesday morning (so far so good).

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Scott

<20B75231325845249A31CFF92800EC8D.png>

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<ethano1114@gmail.com>

Sent: Tuesday, June 22, 2021 6:37 PM

To: Scott Hilton <scott.hilton@kba.law>

Subject: Re: Thread Wallets, LLC Letter (our

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Ethan

Sent from my iPhone

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If you think you can (and would like) to change any of those elements, let's go for it. If you'd rather keep them as they are in this design, I think the other changes might be enough. If that's the case, I recommend I share these images with their attorney with the explanation that this was the redesign you'd already been working on before receiving their suggestions, and ask if those changes are acceptable to Thread Wallets.

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Scott

<image001.png>

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CITY, UTAH
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DIRECT:
801.939.3691

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From: Ethan O'Connell
<ethano1114@gmail.com>
Sent: Tuesday, June 22, 2021 11:06 AM
To: Scott Hilton
<scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC
Letter (our

Hey Scott,

I just wanted to reach out and see if you had a chance to look at the pictures that I have attached in the earlier email. If you need to see more pictures let me know.

Thank you,

Ethan

On Thu, Jun 17, 2021 at 8:30 AM

Ethan O'Connell

<ethano1114@gmail.com> wrote:

Hey Scott,

This was just a sample that when we have designed the with our manufacturer. We have add a few things as I mentioned in our earlier email. Let me know if you think we should or need to change some other aspects of our crossbody.

Thank you,

Ethan

<image002.jpg>

<image003.jpg>

<image004.jpg>

On Jun 16, 2021, at

10:42 AM, Scott

Hilton

<scott.hilton@kba.la

w> wrote:

Thanks Ethan.

Pictures would be great, please send them over. They're asking for a few more changes than that, but let's take a look and we can make a counter proposal if we think it looks different

enough.

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

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From: Ethan
O'Connell
<ethano1114@gmail.com>

Sent: Tuesday, June
15, 2021 10:39 PM

To: Scott Hilton
<scott.hilton@kba.la>
W>

Subject: Re: Thread
Wallets, LLC Letter
(our

Hey Scott,

Thank you for letting me know this. We have changed a few things on the bag, which include different placement of logo, added one more d-ring. We also added a functionality to make it a fanny pack. This has moved the pocket on the back lower. Do you think this is enough? I can also send you some pictures if that would help.

Let me know what is best for you,

Ethan

Sent from my iPhone

On Jun
15,
2021, at
7:34 PM,
Scott
Hilton
<scott.hilton@kba.law>
wrote:

Hi
Ethan.
The
Thread
Wallets

attorney
got back
to me
today
on their
suggesti
ons, and
they're
along
the lines
of what
we
guessed
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/locatio
n of d-
rings,
location
of tag,
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nt of
front
zipper).
We can
discuss,
but let
me
know if
any of
those
items
are deal
breakers
and we
can
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back
(like
maybe
the
location
of the
d-rings,
if that's

essential
for the
function
ality).

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

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From:
James
W.
McConkie
ie
<[jmcco
nkie@w](mailto:jmcco
nkie@w)>

wnlaw.co

m>

Sent:

Tuesday,

June 15,

2021

5:05 PM

To:

Scott

Hilton

<scott.h

ilton@k

ba.law>

Cc:

scourdy

@wnlaw

.com;

Lauren

Swenso

n

<lswens

on@kba

.law>;

srupp@

wnlaw.c

om

Subject:

RE:

Thread

Wallets,

LLC

Letter

(our

Scott,

I've had

a

chance

to

discuss

some

propose

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changes

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next
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the
Brixley
Crossbo
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with my
client,
Thread
Wallets
LLC.
The idea
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client is
willing
to sell
off its
existing
bags
and
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suggest
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in
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acknowl
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by your
client. I
look
forward
to
hearing
from
you.
Best,
James

Proposed
changes
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- Move / remove the driving logs from the back of the bag in favor of different

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003.png
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James
W.
McConk
ie III
WORKM
AN
NYDEGGE
R

60 East
South
Temple,
Suite 1000
Salt Lake
City, Utah
84111
Office-
Direct:
(801)
321-8841
Email
jmccconkie@wnlaw.com

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the sole use
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unauthorize
d review,
use, or
distribution
is
prohibited
and may be
unlawful.*

From:
Scott
Hilton
<scott.hilton@kba.law>
Sent:
Friday,
May 21,
2021
11:52
AM

To:
James
W.
McConk
ie
<JMcConkie@WNLaw.com

m>
Cc:
Shellie
C.
Courdy
<SCourdy@WNLaw.com

>;
lswenso@kba.law

Subject:
RE:
Thread
Wallets,
LLC
Letter
(our

Thank
you
James,
that's
very
helpful.

I'm
available
for a call
any time
after
9:30 AM
next
Wednes
day to

discuss,
please
feel free
to call
my
direct
number
(801-93
9-3691)
if there's
a time
that
works
for you
that
morning
.

Best,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

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From:
James
W.
McConkie
<jmccconkie@wnlaw.com>
Sent:
Friday,
May 21,
2021
11:15
AM
To:
Scott
Hilton
<scott.hilton@kba.law>
Cc:
scourdy@wnlaw.com
Subject:
RE:
Thread
Wallets,
LLC
Letter
(our

Scott,

Attached is a
letter

listing
some of
the
addition
al info
you
asked
for in
your
recent
corresp
ondence
. Let me
know if
you are
available
for a call
next
week on
Wednes
day
morning
. I think
a call to
discuss
how the
parties
can
resolve
their
differen
ces
would
be
helpful
at this
point.

Best,

James
W.
McConk
ie III

WORKM
AN
NYDEGGE
R
60 East
South
Temple,
Suite 1000
Salt Lake
City, Utah
84111
Office-
Direct:
(801)
321-8841
Email
jmccconkie@wnlaw.com

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product for
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Any
unauthorize
d review,
use, or
distribution
is
prohibited
and may be
unlawful.*

From:
Scott
Hilton
<scott.hilton@kba.law>
Sent:
Tuesday,
May 4,

2021
6:50 PM
To:
James
W.
McConk
ie
<JMcConkie@WNLaw.com>
Subject:
Thread
Wallets,
LLC
Letter
(our

Hi
James.

We
received
your
letter to
Brixley
Bags
regardin
g
Thread
Wallets'
pending
design
patent
applicati
ons.
Please
see the
attached
letter in
reply,
requesti
ng
clarificat

ion of
the
scope of
your
client's
rights,
so we
can at
least
prelimin
arily
assess
the
merits
of the
allegatio
ns.

Best
Regards,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

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and notify
the sender
immediately,
and do not
use, copy, or
disclose to
anyone any
of the
contents
hereof.

From: "Scott Hilton" <scott.hilton@kba.law>
To: "Ethan O'Connell" <ethano1114@gmail.com>
Date: 7/20/2021 4:17:10 PM
Subject: RE: Thread Wallets, LLC Letter (our

Thanks Ethan, sounds like a plan. We'll push for that and I'll let you know how it goes.



SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Tuesday, July 20, 2021 12:41 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Let's see if we can use what we currently newly developed. If that doesn't work we can speak with our manufacturer about possibly changing the shape of the ring. Let me know if you think that would work. And what they say.

Thank you,

Ethan

Sent from my iPhone

On Jul 20, 2021, at 11:17 AM, Scott Hilton <scott.hilton@kba.law> wrote:

Thanks Ethan. That Adidas bag doesn't really help our argument, since it's the placement of the D-rings that they have the problem with (not the use of D-rings themselves – that part was my counter to allow you to leave the rings in the same places). If you'd rather not change the location of the D-rings, we can counter that the other design changes are enough, which they may or may not agree with.

What if you only move the bottom to D-rings to the side (we can argue that moving the top two would place them in the way of the belt loops), would something like that work?

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Tuesday, July 20, 2021 10:50 AM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Thank you for speaking with them. I feel like we are in a good spot. I wanted to point out to you that other crossbodys on the market also use the D ring. I will attach Adidas crossbody, there are several more that use it. It's is very common and widely used with crossbodys across the industry. Can you suggest to them that since we are using 4 rings now, it will be a nice compromise. We are trying to establish a different look.

<https://www.tillys.com/product/adidas-originals-festival-crossbody-bag/384906100.html>

Thank you,

Ethan

On Jul 20, 2021, at 10:25 AM, Scott Hilton <scott.hilton@kba.law> wrote:

Hi Ethan. I was able to speak to their attorneys this morning. They wanted me to tell you how much they appreciate the way Brixley has handled this so far.

They think the new design is mostly acceptable, and checks most of the boxes, but wanted you to consider moving the D-rings from the top/bottom shorter sides, to the left/right longer sides (since the D-ring placement is still the same). I pointed out that you now have 4 rings, which they said was helpful, but they still wanted

you to consider that last change (they liked the other changes, including the belt loops, the logo movement, and the slightly higher zipper).

If moving the placement of the D-rings to the sides isn't acceptable for you, I asked about using rings of a different shape (rectangle, triangle, circle, etc.) and they thought that might be a compromise that would work as well.

Let me know what you think, or if you have a counter proposal. We're getting close on this.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>

Sent: Wednesday, July 14, 2021 4:11 PM

To: Scott Hilton <scott.hilton@kba.law>

Subject: Re: Thread Wallets, LLC Letter (our

This is fantastic! Let me know how it goes. we want to put in an order with manufacture soon. If they are okay with our changes, we would love to file a design patent with you.

Thank you,

Ethan

On Jul 14, 2021, at 10:36 AM, Scott Hilton <scott.hilton@kba.law>
wrote:

Quick update, I'll be discussing this with their attorney next Tuesday
morning (so far so good).

Thanks,

Scott

<20B75231325845249A31CFF92800EC8D.png>

SCOTT C.
HILTON
Partner,
Registered
Patent Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE CITY,
UTAH 84101

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prohibited.

On Jul 7, 2021, 8:18 AM -0600, Ethan O'Connell
<ethano1114@gmail.com>, wrote:

Thank you!!

Ethan

On Jul 6, 2021, at 2:51 PM, Scott Hilton
<scott.hilton@kba.law> wrote:

Hey Ethan. I haven't heard back yet, I'll check with them
and see where they're at on this and let you know.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent
Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT:
801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Tuesday, July 6, 2021 8:17 AM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

I hope you had a great 4th of July weekend. I just
wanted to touch base with you and see if you were able
to get a response back from their attorney, regarding
our new design for the crossbody.

Thank you,

Ethan O'Connell

On Wed, Jun 23, 2021 at 6:44 PM Scott Hilton

<scott.hilton@kba.law> wrote:

Sounds good Ethan, we'll move forward and let you know how it goes.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent
Attorney
50 W BROADWAY, SUITE
1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT:
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From: Ethan O'Connell <ethano1114@gmail.com>

Sent: Wednesday, June 23, 2021 6:38 PM

To: Scott Hilton <scott.hilton@kba.law>

Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

In regards of filing a design patent, let's just go ahead and show them the new design. Like you said we can just make it confidential. I think that it is smart to share our new design and once we fully develop the new product, we would love to final for a design patent with you.

Let me know what they say!

Thank you,

Ethan

Sent from my iPhone

On Jun 23, 2021, at 10:24 AM, Scott
Hilton <scott.hilton@kba.law> wrote:

Sounds good, I'll run it past them and let
you know how it goes.

On your question about filing a design
patent application, normally it would be
a very good idea to file ahead of
sharing, but the risk there is that if they
do press for other changes, and you
decide to make them, the application
may not cover the design (potentially
requiring another patent application). In
this case, since we're only sharing for
purposes of settlement negotiations,
you will have some protection, and I'll
mark them as confidential as well.

That being said, we're absolutely happy
to help get a design patent application
filed quickly ahead of sharing if you'd
like – and if there are further changes,
getting two different design patents isn't
a bad thing either, so let me know.

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101
OFFICE:
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From: Ethan O'Connell
<ethano1114@gmail.com>
Sent: Tuesday, June 22, 2021 6:37 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter
(our

Thanks for the quick response. I think if we can use the new design that would be best for us. Do you think we would have to file a design patent before we show them? Just don't want to run into any more issues between both of us. Let's show these pictures to their attorneys and we can go from there.

Let me know what they say :)

Thank you,

Ethan

Sent from my iPhone

On Jun 22, 2021, at 4:29 PM,

Scott Hilton
<scott.hilton@kba.law>
wrote:

Hi Ethan, thanks for
following up.

The pictures were helpful,
and the new design does
look quite a bit different
than theirs. The items they
might still have issues with
are the shape and
placement of the d-rings
(although the fact you have
4 will help) and the
placement of the front
zipper.

If you think you can (and
would like) to change any of
those elements, let's go for
it. If you'd rather keep them
as they are in this design, I
think the other changes
might be enough. If that's
the case, I recommend I
share these images with
their attorney with the
explanation that this was
the redesign you'd already
been working on before
receiving their suggestions,
and ask if those changes are
acceptable to Thread
Wallets.

Let me know what you think
– if using circular or
rectangular rings or moving
the front zipper further
toward the top of the bag
are options, I think you've

got a slam dunk, but if
you'd rather not make those
changes I think there's a
good chance they'll accept
this new design as is.

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

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From: Ethan O'Connell
<ethano1114@gmail.com>
Sent: Tuesday, June 22,
2021 11:06 AM
To: Scott Hilton
<scott.hilton@kba.law>
Subject: Re: Thread Wallets,
LLC Letter (our

Hey Scott,

I just wanted to reach out and see if you had a chance to look at the pictures that I have attached in the earlier email. If you need to see more pictures let me know.

Thank you,

Ethan

On Thu, Jun 17, 2021 at 8:30 AM Ethan O'Connell
<ethano1114@gmail.com>
wrote:

Hey Scott,

This was just a sample that when have designed the with our manufacturer. We have add a few things as I mentioned in our earlier email. Let me know if you think we should or need to change some other aspects of our crossbody.

Thank you,

Ethan

<image002.jpg>

<image003.jpg>

<image004.jpg>

On Jun 16,
2021, at
10:42 AM,

Scott Hilton
<scott.hilton@kba.law>
wrote:

Thanks Ethan.
Pictures
would be
great, please
send them
over. They're
asking for a
few more
changes than
that, but let's
take a look
and we can
make a
counter
proposal if
we think it
looks
different
enough.

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

OFFICE:
801.994.4646
DIRECT:
801.939.3691

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From: Ethan
O'Connell
<ethano1114@gmail.com>

>

Sent:
Tuesday,
June 15, 2021
10:39 PM

To: Scott
Hilton
<scott.hilton@kba.law>

Subject: Re:
Thread
Wallets, LLC
Letter (our

Hey Scott,

Thank you for letting me know this. We have changed a few things on the bag, which include different placement of logo, added one more d-ring. We also added a

functionality
to make it a
fanny pack.
This has
moved the
pocket on
the back
lower. Do
you think this
is enough? I
can also send
you some
pictures if
that would
help.

Let me know
what is best
for you,

Ethan

Sent from my
iPhone

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SCOTT C.
HILTON
Partner,
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Attorney

50 W
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<image001.png>

SCOTT C.
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Patent
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50 W
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From:
James W.
McConkie
<
jmcconkie@wnlaw.com>

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SCOTT C.
HILTON
Partner,
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CITY, UTAH
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DIRECT:
801.939.3691

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From: "Ethan O'Connell" <ethano1114@gmail.com>
To: "Scott Hilton" <scott.hilton@kba.law>
Date: 7/22/2021 1:35:00 PM
Subject: Re: Thread Wallets, LLC Letter (our

Scott,

We are now out of cross body inventory. Because of the discussions, which have been ongoing with thread wallet. We are in a position where this is affecting our sales and revenue negatively. We would like to place our new order no later than next Friday. can we work to that goal.

Thank you,

Ethan

On Jul 20, 2021, at 4:17 PM, Scott Hilton <scott.hilton@kba.law> wrote:

Thanks Ethan, sounds like a plan. We'll push for that and I'll let you know how it goes.

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Tuesday, July 20, 2021 12:41 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Let's see if we can use what we currently newly developed. If that doesn't work we can speak with our manufacturer about possibly changing the shape of the ring. Let me know if you think that would work. And what they say.

Thank you,

Ethan

Sent from my iPhone

On Jul 20, 2021, at 11:17 AM, Scott Hilton <scott.hilton@kba.law> wrote:

Thanks Ethan. That Adidas bag doesn't really help our argument, since it's the placement of the D-rings that they have the problem with (not the use of D-rings themselves – that part was my counter to allow you to leave the rings in the same places). If you'd rather not change the location of the D-rings, we can counter that the other design changes are enough, which they may or may not agree with.

What if you only move the bottom two D-rings to the side (we can argue that moving the top two would place them in the way of the belt loops), would something like that work?

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>

Sent: Tuesday, July 20, 2021 10:50 AM

To: Scott Hilton <scott.hilton@kba.law>

Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Thank you for speaking with them. I feel like we are in a good spot. I wanted to point out to you that other crossbodys on the market also use the D ring. I will attach Adidas crossbody, there are several more that use it. It's is very common and widely used with crossbodys across the industry. Can you suggest to them that since we are using 4 rings now, it will be a nice compromise. We are trying to establish a different look.

<https://www.tillys.com/product/adidas-originals-festival-crossbody-bag/384906100.html>

Thank you,

Ethan

On Jul 20, 2021, at 10:25 AM, Scott Hilton <scott.hilton@kba.law> wrote:

Hi Ethan. I was able to speak to their attorneys this morning. They wanted me to tell you how much they appreciate the way Brixley has handled this so far.

They think the new design is mostly acceptable, and checks most of the boxes, but wanted you to consider moving the D-rings from the top/bottom shorter sides, to the left/right longer sides (since the D-ring placement is still the same). I pointed out that you now have 4 rings, which they said was helpful, but they still wanted you to consider that last change (they liked the other changes, including the belt loops, the logo movement, and the slightly higher zipper).

If moving the placement of the D-rings to the sides isn't acceptable for you, I asked about using rings of a different shape (rectangle, triangle, circle, etc.) and they thought that might be a compromise that would work as well.

Let me know what you think, or if you have a counter proposal. We're getting close on this.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>

Sent: Wednesday, July 14, 2021 4:11 PM

To: Scott Hilton <scott.hilton@kba.law>

Subject: Re: Thread Wallets, LLC Letter (our

This is fantastic! Let me know how it goes. we want to put in an order with manufacture soon. If they are okay with our changes, we would love to file a design patent with you.

Thank you,

Ethan

On Jul 14, 2021, at 10:36 AM, Scott Hilton <scott.hilton@kba.law> wrote:

Quick update, I'll be discussing this with their attorney next Tuesday morning (so far so good).

Thanks,

Scott

<20B75231325845249A31CFF92800EC8D.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

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On Jul 7, 2021, 8:18 AM -0600, Ethan O'Connell
<ethano1114@gmail.com>, wrote:

Thank you!!

Ethan

On Jul 6, 2021, at 2:51 PM, Scott Hilton
<scott.hilton@kba.law> wrote:

Hey Ethan. I haven't heard back yet, I'll check with them and see where they're at on this and let you know.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent
Attorney

50 W BROADWAY, SUITE
1000
SALT LAKE CITY, UTAH
84101

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From: Ethan O'Connell
<ethano1114@gmail.com>
Sent: Tuesday, July 6, 2021 8:17 AM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

I hope you had a great 4th of July weekend. I just wanted to touch base with you and see if you were able to get a response back from their attorney, regarding our new design for the crossbody.

Thank you,

Ethan O'Connell

On Wed, Jun 23, 2021 at 6:44 PM Scott Hilton
<scott.hilton@kba.law> wrote:

Sounds good Ethan, we'll move forward and let you know how it goes.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered
Patent Attorney

50 W BROADWAY,
SUITE 1000
SALT LAKE CITY, UTAH
84101

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From: Ethan O'Connell
<ethano1114@gmail.com>
Sent: Wednesday, June 23, 2021 6:38 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

In regards of filing a design patent, let's just go ahead and show them the new design. Like you said we can just make it confidential. I think that it is smart to share our new design and once we fully develop the new product, we would love to final for a design patent with you.

Let me know what they say!

Thank you,

Ethan

Sent from my iPhone

On Jun 23, 2021, at 10:24 AM, Scott Hilton <scott.hilton@kba.law> wrote:

Sounds good, I'll run it past them and let you know how it goes.

On your question about filing a design patent application, normally it would be a very good idea to file ahead of sharing, but the risk there is that if they do press for other

changes, and you decide to make them, the application may not cover the design (potentially requiring another patent application). In this case, since we're only sharing for purposes of settlement negotiations, you will have some protection, and I'll mark them as confidential as well.

That being said, we're absolutely happy to help get a design patent application filed quickly ahead of sharing if you'd like – and if there are further changes, getting two different design patents isn't a bad thing either, so let me know.

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
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From: Ethan O'Connell
<ethano1114@gmail.com>
Sent: Tuesday, June 22, 2021 6:37 PM
To: Scott Hilton
<scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC
Letter (our

Thanks for the quick response. I think if we can use the new design that would be best for us. Do you think we would have to file a design patent before we show them? Just don't want to run into any more issues between both of us. Let's show these pictures to their attorneys and we can go from there.

Let me know what they say :)

Thank you,

Ethan

Sent from my iPhone

On Jun 22, 2021, at
4:29 PM, Scott Hilton
<scott.hilton@kba.law>
> wrote:

Hi Ethan, thanks for following up.

The pictures were helpful, and the new

design does look quite a bit different than theirs. The items they might still have issues with are the shape and placement of the d-rings (although the fact you have 4 will help) and the placement of the front zipper.

If you think you can (and would like) to change any of those elements, let's go for it. If you'd rather keep them as they are in this design, I think the other changes might be enough. If that's the case, I recommend I share these images with their attorney with the explanation that this was the redesign you'd already been working on before receiving their suggestions, and ask if those changes are acceptable to Thread Wallets.

Let me know what you think – if using circular or rectangular rings or moving the front zipper further toward the top of the bag are options, I think you've got a slam dunk, but if you'd rather not make those changes I think there's a good chance they'll accept this new

design as is.

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
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From: Ethan O'Connell
<ethano1114@gmail.com>

Sent: Tuesday, June
22, 2021 11:06 AM

To: Scott Hilton
<scott.hilton@kba.law>
>

Subject: Re: Thread
Wallets, LLC Letter (our

Hey Scott,

I just wanted to reach out and see if you had a chance to look at the pictures that I have attached in the earlier email. If you need to see more pictures let me know.

Thank you,

Ethan

On Thu, Jun 17, 2021
at 8:30 AM Ethan
O'Connell
<[ethano1114@gmail.c
om](mailto:ethano1114@gmail.com)> wrote:

Hey Scott,

This was just a sample that when we have designed the with our manufacturer. We have add a few things as I mentioned in our earlier email. Let me know if you think we should or need to change some other aspects of our crossbody.

Thank you,

Ethan

<image002.jpg>

<image003.jpg>

<image004.jpg>

On Jun
16,
2021, at
10:42
AM,
Scott
Hilton
<scott.hilton@kba.law>
wrote:

Thanks
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SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
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From:
Ethan
O'Connell
<ethano1114@gmail.com>

Sent:
Tuesday,
June 15,
2021

10:39
PM
To:
Scott
Hilton
<scott.hilton@kba.law>
Subject:
Re:
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SCOTT C.
HILTON
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50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
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DIRECT:

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From

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James

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McConkie

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[jmccconkie](mailto:jmccconkie@wnlaw.com)[@](mailto:jmccconkie@wnlaw.com)[wnlaw](mailto:jmccconkie@wnlaw.com)

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[com](mailto:jmccconkie@wnlaw.com)

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James

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James

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McConkie

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Email

jmcconkie@

wnlaw

com

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From

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Sent

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Best

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Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

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From

:

James
W

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McConkie

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[jmccconkie](#)

BRIXLEY_007345

@
wnlaw

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>

Sent
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Subject

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RE

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Thread
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Letter

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Scott

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Attached

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Let

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how
the
parties
can
resolve
their
differences
would
be
helpful
at
this
point
.

Best

,

James
W

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McConkie
III

WORKMAN

NYDEGGER

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East
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Temple
,

Suite
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Salt
Lake
City
,

Utah
84111

Office
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Email

jmccconkie
@
wnlaw
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com

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From
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Scott
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scott

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Sent
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Tuesday

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To
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JMcConkie
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Subject
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Thread
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Best

Regards

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

OFFICE:
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From: "Scott Hilton" <scott.hilton@kba.law>
To: "Ethan O'Connell" <ethano1114@gmail.com>
Date: 7/22/2021 3:24:09 PM
Subject: RE: Thread Wallets, LLC Letter (our

Hi Ethan, thanks for letting me know on the timing. We'll do our best to resolve this ASAP.

Thanks,

Scott



SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Thursday, July 22, 2021 1:35 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Scott,

We are now out of cross body inventory. Because of the discussions, which have been ongoing with thread wallet. We are in a position where this is affecting our sales and revenue negatively. We would like to place our new order no later than next Friday. can we work to that goal.

Thank you,

Ethan

On Jul 20, 2021, at 4:17 PM, Scott Hilton <scott.hilton@kba.law> wrote:

Thanks Ethan, sounds like a plan. We'll push for that and I'll let you know how it goes.

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101

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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Tuesday, July 20, 2021 12:41 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Let's see if we can use what we currently newly developed. If that doesn't work we can speak with our manufacturer about possibly changing the shape of the ring. Let me know if you think that would work. And what they say.

Thank you,

Ethan

Sent from my iPhone

On Jul 20, 2021, at 11:17 AM, Scott Hilton <scott.hilton@kba.law> wrote:

Thanks Ethan. That Adidas bag doesn't really help our argument, since it's the placement of the D-rings that they have the problem with (not the use of D-rings themselves – that part was my counter to allow you to leave the rings in the same places). If you'd rather not change the location of the D-rings, we can counter that the other design changes are enough, which they may or may not agree with.

What if you only move the bottom to D-rings to the side (we can argue that moving the top two would place them in the way of the belt loops), would something like that work?

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Tuesday, July 20, 2021 10:50 AM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Thank you for speaking with them. I feel like we are in a good spot. I wanted to point out to you that other crossbodies on the market also use the D ring. I will attach Adidas crossbody, there are several more that use it. It's is very common and widely used with crossbodies across the industry. Can you suggest to them that since we are using 4 rings now, it will be a nice compromise. We are trying to establish a different look.

<https://www.tillys.com/product/adidas-originals-festival-crossbody-bag/384906100.html>

Thank you,

Ethan

On Jul 20, 2021, at 10:25 AM, Scott Hilton <scott.hilton@kba.law> wrote:

Hi Ethan. I was able to speak to their attorneys this morning. They wanted me to tell you how much they appreciate the way Brixley has handled this so far.

They think the new design is mostly acceptable, and checks most of the

BRIXLEY_007358

boxes, but wanted you to consider moving the D-rings from the top /bottom shorter sides, to the left/right longer sides (since the D-ring placement is still the same). I pointed out that you now have 4 rings, which they said was helpful, but they still wanted you to consider that last change (they liked the other changes, including the belt loops, the logo movement, and the slightly higher zipper).

If moving the placement of the D-rings to the sides isn't acceptable for you, I asked about using rings of a different shape (rectangle, triangle, circle, etc.) and they thought that might be a compromise that would work as well.

Let me know what you think, or if you have a counter proposal. We're getting close on this.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Wednesday, July 14, 2021 4:11 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

This is fantastic! Let me know how it goes. we want to put in an order with manufacture soon. If they are okay with our changes, we would love to file a design patent with you.

Thank you,

Ethan

On Jul 14, 2021, at 10:36 AM, Scott Hilton
<scott.hilton@kba.law> wrote:

Quick update, I'll be discussing this with their attorney next
Tuesday morning (so far so good).

Thanks,

Scott

<20B75231325845249A31CFF92800EC8D.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

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CITY, UTAH
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On Jul 7, 2021, 8:18 AM -0600, Ethan O'Connell
<ethano1114@gmail.com>, wrote:

Thank you!!

Ethan

On Jul 6, 2021, at 2:51 PM, Scott Hilton
<scott.hilton@kba.law> wrote:

Hey Ethan. I haven't heard back yet, I'll
check with them and see where they're at
on this and let you know.

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered Patent
Attorney

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UTAH 84101

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From: Ethan O'Connell
<ethano1114@gmail.com>
Sent: Tuesday, July 6, 2021 8:17 AM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

I hope you had a great 4th of July weekend. I just wanted to touch base with you and see if you were able to get a response back from their attorney, regarding our new design for the crossbody.

Thank you,

Ethan O'Connell

On Wed, Jun 23, 2021 at 6:44 PM Scott Hilton <scott.hilton@kba.law> wrote:

Sounds good Ethan, we'll move forward and let you know how it goes.

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent Attorney

50 W
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SUITE 1000
SALT LAKE
CITY, UTAH
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From: Ethan O'Connell
<ethano1114@gmail.com>
Sent: Wednesday, June 23, 2021 6:38 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

In regards of filing a design patent, let's just go ahead and show them the new design. Like you said we can just make it confidential. I think that it is smart to share our new design and once we fully develop the new product, we would love to final for a design patent with you.

Let me know what they say!

Thank you,

Ethan

Sent from my iPhone

On Jun 23, 2021, at 10:24 AM, Scott Hilton
<scott.hilton@kba.law>
wrote:

Sounds good, I'll run it past them and let you know how it goes.

On your question about filing a design patent application, normally it would be a very good idea to file ahead of sharing, but the risk there is that if they do press for other changes, and you decide to make them, the application may not cover the design (potentially requiring another patent application). In this case, since we're only sharing for purposes of settlement negotiations, you will have some protection, and I'll mark them as confidential as well.

That being said, we're absolutely happy to help get a design patent application filed quickly ahead of sharing if you'd like – and if there are further changes, getting two different design patents isn't a bad thing either, so let me know.

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

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SUITE 1000
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From: Ethan O'Connell
<ethano1114@gmail.com>
Sent: Tuesday, June 22,
2021 6:37 PM
To: Scott Hilton
<scott.hilton@kba.law>
Subject: Re: Thread Wallets,
LLC Letter (our

Thanks for the quick
response. I think if we can
use the new design that
would be best for us. Do
you think we would have to
file a design patent before
we show them? Just don't
want to run into any more
issues between both of us.
Let's show these pictures to
their attorneys and we can
go from there.

Let me know what they say
:)

Thank you,

Ethan

Sent from my iPhone

On Jun 22,
2021, at 4:29
PM, Scott
Hilton
<scott.hilton@kba.law> wrote:

Hi Ethan, thanks
for following
up.

The pictures
were helpful,
and the new
design does
look quite a bit
different than
theirs. The
items they
might still have
issues with are
the shape and
placement of
the d-rings
(although the
fact you have 4
will help) and
the placement
of the front
zipper.

If you think you
can (and would
like) to change
any of those
elements, let's
go for it. If
you'd rather

keep them as they are in this design, I think the other changes might be enough. If that's the case, I recommend I share these images with their attorney with the explanation that this was the redesign you'd already been working on before receiving their suggestions, and ask if those changes are acceptable to Thread Wallets.

Let me know what you think – if using circular or rectangular rings or moving the front zipper further toward the top of the bag are options, I think you've got a slam dunk, but if you'd rather not make those changes I think there's a good chance they'll accept this new design as is.

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON

Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
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From: Ethan
O'Connell
<ethano1114@gmail.com>

Sent: Tuesday,
June 22, 2021
11:06 AM

To: Scott Hilton
<scott.hilton@kba.law>

Subject: Re:
Thread Wallets,
LLC Letter (our

Hey Scott,

I just wanted to reach out and see if you had a chance to look at the pictures that I have attached in the earlier email. If you need to see more pictures let me know.

Thank you,

Ethan

On Thu, Jun 17,
2021 at 8:30

AM Ethan

O'Connell

<[ethano1114@
gmail.com](mailto:ethano1114@gmail.com)>

wrote:

Hey Scott,

This was just a sample that when have designed the with our manufacturer . We have add a few things as I mentioned in our earlier email. Let me know if you think we should or need to

change some
other aspects
of our
crossbody.

Thank you,

Ethan

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SCOTT C.
HILTON
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Scott

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Thanks

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
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SUITE 1000
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From

:

James

W

.

McConkie

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[@](mailto:jmccconkie@wnlaw.com)

[wnlaw](mailto:jmccconkie@wnlaw.com)

.

[com](mailto:jmccconkie@wnlaw.com)

>

Sent

:

Tuesday

,

June

15

,

2021

5

:

05

PM

To

:

Scott

Hilton

<

scott

hilton
@
kba

law
>

Cc
:

scourdy
@
wnlaw

com
;

Lauren
Swenson
<

lswenson
@
kba

law
>;

srupp
@
wnlaw
com

Subject
:
RE
:
Thread
Wallets

,
LLC
Letter
(
our

Scott

,

I

,

ve
had
a
chance
to
discuss
some
proposed
changes
to
the
next
generation
of
the
Brixley
Crossbody
Bag
with
my
client

,

Thread
Wallets
LLC

.

The
idea
is
that
if
your

client
is
willing
to
sell
off
its
existing
bags
and
make
the
changes
suggested
on
or
in
connection
with
any
future
crossbody
bag
,
the
parties
can
respectively
move
forward
marketing
,
selling
and
otherwise
using
their
bags
.

We
are
open
to

memorializing
the
same
in
a
written
agreement
or
by
way
of
a
less
formal
letter
agreement
listing
the
above
terms
and
signed
/
acknowledged
by
your
client

.

I
look
forward
to
hearing
from
you

.

Best

,

James

Proposed
changes

:

- Move
/
remove
the
d
-
rings
from
the
back
of
the
bag
in
favor
of
different
shaped
rings
and
a
different
attachment
point
for
the
rings
.
- Move
the
Brixley
logo
/
tag
to
a
location
different
than

- the location used by Thread

.

For example

,

the front branded logo tag should be removed from

the bottom right corner and

the back branded logo tag needs to

be removed from

the center on the back of

the bag

.

- Adjust the front zipper placement up or change the orientation of the zipper so as to make it different than the placement or orientation used by Thread .

<
image002

.
png
>

<
image003

.
png
>

James

W

.

McConkie

III

WORKMAN

NYDEGGER

60

East

South

Temple

,

Suite

1000

Salt

Lake

City

,

Utah

84111

Office

-

Direct

:

(

801

)

321

-

8841

Email

jmconkie

@

wnlaw

:

com

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contain
material
that
is
confidential*

'
privileged
and
/
or
attorney
work
product
for
the
sole
use
of
the
intended
recipient

'
Any
unauthorized
review

'
use

'
or
distribution
is
prohibited
and
may
be
unlawful

From

:

Scott
Hilton

<

scott

:

hilton

@

kba

:

law

>

Sent

:

Friday

May
21

2021
11

:
52
AM

To
:
James
W

.
McConkie
<

JMcConkie
@
WNLaw

.
com
>

Cc
:
Shellie
C

.
Courdy
<

SCourdy
@
WNLaw

.
com
>;

lswenson
@

.
kba

:
law

Subject

:
RE

:
Thread
Wallets

,
LLC
Letter
(
our

Thank
you
James

,
that
,

s
very
helpful

.

I

,

m
available
for
a
call
any
time
after
9

:

30
AM
next
Wednesday

to
discuss

,
please
feel
free
to
call
my
direct
number

(
801

-
939

-
3691
)

if
there
,

s
a
time
that
works
for
you
that
morning

.

Best

,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

OFFICE:
801.994.4646
DIRECT:
801.939.3691

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From

:

James
W

.

McConkie

<

[jmccconkie](mailto:jmccconkie@wnlaw.com)

[@](mailto:jmccconkie@wnlaw.com)

[wnlaw](mailto:jmccconkie@wnlaw.com)

.

[com](mailto:jmccconkie@wnlaw.com)

>

Sent

:

Friday

,

May

21

,
2021
11
:
15
AM

To
:
Scott
Hilton
<

scott
:
hilton
@
kba
:
law
>

Cc
:
scourdy
@
wnlaw
:
com

Subject
:
RE
:
Thread
Wallets
,
LLC
Letter
(

our

Scott

,

Attached

is

a

letter

listing

some

of

the

additional

info

you

asked

for

in

your

recent

correspondence

.

Let

me

know

if

you

are

available

for

a

call

next

week

on

Wednesday

morning

.

I

think

a

call
to
discuss
how
the
parties
can
resolve
their
differences
would
be
helpful
at
this
point

.

Best

,

James
W

.

McConkie
III

WORKMAN

NYDEGGER

60
East
South
Temple

,

Suite
1000

Salt
Lake
City

,

Utah
84111

Office

-

Direct

:

(

801

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321

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8841

Email

jmccconkie

@

wnlaw

.

com

*This
email
may
contain
material
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is
confidential*

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*or
attorney
work
product
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Any
unauthorized
review*

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use*

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or
distribution
is
prohibited
and
may
be*

unlawful

From

:

Scott
Hilton

<

scott

:

hilton

@

kba

:

law

>

Sent

:

Tuesday

,

May

4

,

2021

6

:

50

PM

To

:

James
W

.

McConkie

<

JMcConkie

@

.

WNLaw

:

com

>

Subject

:

Thread
Wallets

,

LLC
Letter
(
our

Hi
James

.

We
received
your
letter
to
Brixley
Bags
regarding
Thread
Wallets

,

pending
design
patent
applications

.

Please
see
the
attached
letter
in
reply

,

requesting
clarification
of
the
scope
of
your
client
,

s
rights

,
so
we
can
at
least
preliminarily
assess
the
merits
of
the
allegations
.

Best
Regards

,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

BRIXLEY_007408

OFFICE:
801.994.4646
DIRECT:
801.939.3691

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BRIXLEY_007409

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PRIVACY
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If
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sender
immediately

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do
not
use
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or
disclose
to
anyone
any
of
the
contents
hereof
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From: "Ethan O'Connell" <ethano1114@gmail.com>
To: "Scott Hilton" <scott.hilton@kba.law>
Date: 7/29/2021 2:01:09 PM
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Just want to check back in and see if we can put an order in for our new Crossbody bags. Were you able to talk with them a little more. Let me know.

Thank you,

Ethan

On Jul 22, 2021, at 3:24 PM, Scott Hilton <scott.hilton@kba.law> wrote:

Hi Ethan, thanks for letting me know on the timing. We'll do our best to resolve this ASAP.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Thursday, July 22, 2021 1:35 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Scott,

We are now out of cross body inventory. Because of the discussions, which have been ongoing with thread wallet. We are in a position where this is affecting our sales and revenue negatively. We would like to place our new order no later than next Friday. can we work to that goal.

Thank you,

Ethan

On Jul 20, 2021, at 4:17 PM, Scott Hilton <scott.hilton@kba.law> wrote:

Thanks Ethan, sounds like a plan. We'll push for that and I'll let you know how it goes.

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Tuesday, July 20, 2021 12:41 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Let's see if we can use what we currently newly developed. If that doesn't work we can speak with our manufacturer about possibly changing the shape of the ring. Let me know if you think that would work. And what they say.

Thank you,

Ethan

Sent from my iPhone

On Jul 20, 2021, at 11:17 AM, Scott Hilton <scott.hilton@kba.law> wrote:

Thanks Ethan. That Adidas bag doesn't really help our argument, since it's the placement of the D-rings that they have the problem with (not the use of D-rings themselves – that part was my counter to allow you to leave the rings in

the same places). If you'd rather not change the location of the D-rings, we can counter that the other design changes are enough, which they may or may not agree with.

What if you only move the bottom to D-rings to the side (we can argue that moving the top two would place them in the way of the belt loops), would something like that work?

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Tuesday, July 20, 2021 10:50 AM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Thank you for speaking with them. I feel like we are in a good spot. I wanted to point out to you that other crossbodys on the market also use the D ring. I will attach Adidas crossbody, there are several more that use it. It's is very common and widely used with crossbodys across the industry. Can you suggest to them that since we are using 4 rings now, it will be a nice compromise. We are trying to establish a different look.

<https://www.tillys.com/product/adidas-originals-festival-crossbody-bag/384906100.html>

Thank you,

Ethan

On Jul 20, 2021, at 10:25 AM, Scott Hilton <scott.hilton@kba.law> wrote:

Hi Ethan. I was able to speak to their attorneys this morning. They wanted me to tell you how much they appreciate the way Brixley has handled this so far.

They think the new design is mostly acceptable, and checks most of the boxes, but wanted you to consider moving the D-rings from the top/bottom shorter sides, to the left/right longer sides (since the D-ring placement is still the same). I pointed out that you now have 4 rings, which they said was helpful, but they still wanted you to consider that last change (they liked the other changes, including the belt loops, the logo movement, and the slightly higher zipper).

If moving the placement of the D-rings to the sides isn't acceptable for you, I asked about using rings of a different shape (rectangle, triangle, circle, etc.) and they thought that might be a compromise that would work as well.

Let me know what you think, or if you have a counter proposal. We're getting close on this.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>

Sent: Wednesday, July 14, 2021 4:11 PM

To: Scott Hilton <scott.hilton@kba.law>

Subject: Re: Thread Wallets, LLC Letter (our

This is fantastic! Let me know how it goes. we want to put in an order with manufacture soon. If they are okay with our changes, we would love to file a design patent with you.

Thank you,

Ethan

On Jul 14, 2021, at 10:36 AM, Scott Hilton
<scott.hilton@kba.law> wrote:

Quick update, I'll be discussing this with their attorney next Tuesday morning (so far so good).

Thanks,

Scott

<20B75231325845249A31CFF92800EC8D.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

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801.939.3691

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On Jul 7, 2021, 8:18 AM -0600, Ethan O'Connell
<ethano1114@gmail.com>, wrote:

Thank you!!

Ethan

On Jul 6, 2021, at 2:51 PM, Scott
Hilton <scott.hilton@kba.law> wrote:

Hey Ethan. I haven't heard back yet,
I'll check with them and see where
they're at on this and let you know.

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101
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From: Ethan O'Connell
<ethano1114@gmail.com>
Sent: Tuesday, July 6, 2021 8:17 AM
To: Scott Hilton
<scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC
Letter (our

Hey Scott,

I hope you had a great 4th of July weekend. I just wanted to touch base with you and see if you were able to get a response back from their attorney, regarding our new design for the crossbody.

Thank you,

Ethan O'Connell

On Wed, Jun 23, 2021 at 6:44 PM
Scott Hilton <scott.hilton@kba.law>
wrote:

Sounds good Ethan, we'll move forward and let you know how it goes.

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

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From: Ethan O'Connell
<ethano1114@gmail.com>
Sent: Wednesday, June 23, 2021
6:38 PM
To: Scott Hilton
<scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC
Letter (our

Hey Scott,

In regards of filing a design patent, let's just go ahead and show them the new design. Like you said we can just make it confidential. I think that it is smart to share our new design and once we fully develop the new product, we would love to final for a design patent with you.

Let me know what they say!

Thank you,

Ethan

Sent from my iPhone

On Jun 23, 2021, at
10:24 AM, Scott Hilton
<scott.hilton@kba.law
> wrote:

Sounds good, I'll run it
past them and let you
know how it goes.

On your question
about filing a design
patent application,
normally it would be a
very good idea to file
ahead of sharing, but
the risk there is that if
they do press for other
changes, and you
decide to make them,
the application may
not cover the design
(potentially requiring
another patent
application). In this
case, since we're only

sharing for purposes of
settlement
negotiations, you will
have some protection,
and I'll mark them as
confidential as well.

That being said, we're
absolutely happy to
help get a design
patent application filed
quickly ahead of
sharing if you'd like –
and if there are further
changes, getting two
different design
patents isn't a bad
thing either, so let me
know.

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

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From: Ethan O'Connell
<ethano1114@gmail.com>

Sent: Tuesday, June
22, 2021 6:37 PM

To: Scott Hilton
<scott.hilton@kba.law>

Subject: Re: Thread
Wallets, LLC Letter (our

Thanks for the quick response. I think if we can use the new design that would be best for us. Do you think we would have to file a design patent before we show them? Just don't want to run into any more issues between both of us. Let's show these pictures to their attorneys and we can go from there.

Let me know what they say :)

Thank you,

Ethan

Sent from my iPhone

On Jun 22,
2021, at

4:29 PM,
Scott
Hilton
<scott.hilton@kba.la
w> wrote:

Hi Ethan,
thanks for
following
up.

The
pictures
were
helpful,
and the
new
design
does look
quite a bit
different
than
theirs. The
items they
might still
have
issues with
are the
shape and
placement
of the d-
rings
(although
the fact
you have 4
will help)
and the
placement
of the
front
zipper.

If you think you can (and would like) to change any of those elements, let's go for it. If you'd rather keep them as they are in this design, I think the other changes might be enough. If that's the case, I recommend I share these images with their attorney with the explanation that this was the redesign you'd already been working on before receiving their suggestions, and ask if those

changes
are
acceptable
to Thread
Wallets.

Let me
know what
you think
– if using
circular or
rectangula
r rings or
moving
the front
zipper
further
toward the
top of the
bag are
options, I
think
you've got
a slam
dunk, but
if you'd
rather not
make
those
changes I
think
there's a
good
chance
they'll
accept this
new
design as
is.

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

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From:
Ethan
O'Connell
<ethano1114@gmail.com>
Sent:
Tuesday,
June 22,
2021 11:06
AM
To: Scott
Hilton
<scott.hilton@kba.law>
Subject:

Re: Thread
Wallets,
LLC Letter
(our

Hey Scott,

I just
wanted to
reach out
and see if
you had a
chance to
look at the
pictures
that I
have attac
hed in the
earlier
email. If
you need
to see
more
pictures let
me know.

Thank you,

Ethan

On Thu,
Jun 17,
2021 at
8:30 AM
Ethan
O'Connell
<[ethano1
114@gmai
l.com](mailto:ethano1114@gmail.com)>
wrote:

Hey
Scott,

This was

just a
sample
that
when
have
designe
d the
with our
manufac
turer.
We have
add a
few
things
as I
mention
ed in
our
earlier
email.
Let me
know if
you
think we
should
or need
to
change
some
other
aspects
of our
crossbo
dy.

Thank
you,

Ethan

<image
002.jpg
>
<image

003.jpg

>

<image

004.jpg

>

On

Jun

16

,

2021

,

at

10

:

42

AM

,

Scott

Hilton

<

scott

,

hilton

@

kba

,

law

>

wrote

:

Thanks

Ethan

.

Pictures

would

be
great
,
please
send
them
over
. They
,
re
asking
for
a
few
more
changes
than
that
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but
let
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s
take
a
look
and
we
can
make
a
counter
proposal
if
we
think
it
looks
different
enough
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<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

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From
:
Ethan
O'Connell
<

ethano1114
@
gmail
.
com
>

Sent
:

BRIXLEY_007431

Tuesday

,
June
15

,
2021
10

:
39
PM

To
:
Scott
Hilton
<

scott

:
hilton
@
kba

:
law
>

Subject

:
Re
:
Thread
Wallets

,
LLC
Letter
(
our

Hey
Scott
,

Thank
you
for
letting
me
know
this
.
We
have
changed
a
few
things
on
the
bag
,
which
include
different
placement
of
logo
,
added
one
more
d
-
ring
.
We
also
added
a
functionality
to
make
it
a
fanny
pack

.
This
has
moved
the
pocket
on
the
back
lower

.
Do
you
think
this
is
enough
?

I
can
also
send
you
some
pictures
if
that
would
help

.

Let
me
know
what
is
best
for
you

,

Ethan

Sent
from
my
iPhone

On
Jun
15
,
2021
,
at
7
:
34
PM
,
Scott
Hilton
<

scott
:
hilton
@
kba

;
law
>
wrote
:

Hi
Ethan
.
The
Thread
Wallets
attorney
got
back
to

me
today
on
their
suggestions

,

and
they

,

re
along
the
lines
of
what
we
guessed

(
shape
/
location
of
d

-
rings

,

location
of
tag

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placement
of
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zipper
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We
can
discuss

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but
let
me
know

if
any
of
those
items
are
deal
breakers
and
we
can
push
back
(
like
maybe
the
location
of
the
d
-
rings
,
if
that
,
s
essential
for
the
functionality
).

Thanks

,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

OFFICE:
801.994.4646
DIRECT:
801.939.3691

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From
:
James
W
.
McConkie
<
jmccconkie@wnlaw.com
>

Sent
:
Tuesday
,
June
15
,
2021
5
:
05
PM

To
:
Scott
Hilton
<

scott
:
hilton
@
kba
:
law
>

Cc
:
scourdy
@
wnlaw
:
com
;
Lauren
Swenson
<

lswenson

@

kba

.

law

>;

srupp

@

wnlaw

.

com

Subject

:

RE

:

Thread

Wallets

,

LLC

Letter

(

our

Scott

,

I

,

ve

had

a

chance

to

discuss

some

proposed

changes

to

the

next
generation
of
the
Brixley
Crossbody
Bag
with
my
client

,

Thread
Wallets
LLC

.

The
idea
is
that
if
your
client
is
willing
to
sell
off
its
existing
bags
and
make
the
changes
suggested
on
or
in
connection
with
any
future

crossbody
bag

,
the
parties
can
respectively
move
forward
marketing

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selling
and
otherwise
using
their
bags

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We
are
open
to
memorializing
the
same
in
a
written
agreement
or
by
way
of
a
less
formal
letter
agreement
listing
the
above
terms

and
signed
/
acknowledged
by
your
client
.

I
look
forward
to
hearing
from
you
.

Best

,

James

Proposed
changes

:

- Move
/
remove
the
d
-
rings
from
the
back
of
the
bag
in

- favor
of
different
shaped
rings
and
a
different
attachment
point
for
the
rings
.

- Move
the
Brixley
logo
/
tag
to
a
location
different
than
the
location
used
by
Thread
.

For
example

,
the
front
branded
logo
tag
should
be
removed

- from
the
bottom
right
corner
and
the
back
branded
logo
tag
needs
to
be
removed
from
the
center
on
the
back
of
the
bag
.

- Adjust
the
front
zipper
placement
up
or
change
the
orientation
of
the
zipper
so
as
to

- make
it
different
than
the
placement
or
orientation
used
by
Thread
.

<
image002

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png
>

<
image003

.
png
>

James
W

.
McConkie
III

WORKMAN

NYDEGGER

60
East
South
Temple
,

Suite
1000

Salt
Lake
City

Utah
84111

Office

-

Direct

:

(

801

)

321

-

8841

Email

jmconkie

@

wnlaw

.

com

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and*

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or
attorney
work
product*

*for
the
sole
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intended
recipient*

*.
Any
unauthorized
review*

'
use
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or
distribution
is
prohibited
and
may
be
unlawful
'
'

From
:
Scott
Hilton
<

scott

hilton

@

kba

law

>

Sent
:
Friday

'
May
21

'
2021
11

:
52
AM

To
:

James
W

McConkie
<

JMcConkie
@
WNLaw
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com
>

Cc
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Shellie
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Courdy
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SCourdy
@
WNLaw
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com
>;

Iswenson
@
kba
.
law

Subject
:
RE
:
Thread
Wallets
,

.
LLC
Letter
(
our

Thank
you
James

,
that
,

s
very
helpful
.

I
,
m
available
for
a
call
any
time
after
9

:
30
AM
next
Wednesday
to
discuss

,
please
feel
free
to
call
my
direct
number

(
801
-
939
-
3691
)
if
there
,
s
a
time
that
works
for
you
that
morning
.

Best

,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

OFFICE:
801.994.4646
DIRECT:
801.939.3691

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From

:

James

W

:

McConkie

<

[jmccconkie](mailto:jmccconkie@wnlaw.com)

[@](mailto:jmccconkie@wnlaw.com)

[wnlaw](mailto:jmccconkie@wnlaw.com)

:

[com](mailto:jmccconkie@wnlaw.com)

>

Sent

:

Friday

,

May

21

,

2021

11

:

15

AM

To

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:

Scott
Hilton

<

scott

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hilton

@

kba

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law

>

Cc

:

scourdy

@

wnlaw

.

com

Subject

:

RE

:

Thread
Wallets

,

LLC
Letter
(
our

Scott

,

Attached
is
a

letter
listing
some
of
the
additional
info
you
asked
for
in
your
recent
correspondence
.

Let
me
know
if
you
are
available
for
a
call
next
week
on
Wednesday
morning
.

I
think
a
call
to
discuss
how
the
parties
can

resolve
their
differences
would
be
helpful
at
this
point
.

Best

,

James
W

.

McConkie
III

WORKMAN

NYDEGGER

60
East
South
Temple

,

Suite
1000

Salt
Lake
City

,

Utah
84111

Office

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Direct

:

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8841

Email

jmconkie
@
wnlaw
.
com

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email
may
contain
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confidential*

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Any
unauthorized
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prohibited
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be
unlawful*

From
:

Scott
Hilton
<

scott

·
hilton
@
kba

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law
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Sent
:
Tuesday
,
May
4
,
2021
6
:
50
PM

To
:
James
W
·
McConkie
<

JMcConkie
@
WNLaw
·
com
>

Subject

:

Thread
Wallets

,

LLC
Letter
(
our

Hi
James

.

We
received
your
letter
to
Brixley
Bags
regarding
Thread
Wallets

,

pending
design
patent
applications

.

Please
see
the
attached
letter
in
reply

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requesting
clarification
of
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scope
of
your
client
,
s
rights
,
so
we
can
at
least
preliminarily
assess
the
merits
of
the
allegations
.

Best
Regards

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney
50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

OFFICE:
801.994.4646
DIRECT:
801.939.3691

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and do not

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do
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use
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disclose
to
anyone
any
of
the
contents
hereof
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From: "Scott Hilton" <scott.hilton@kba.law>
To: "Ethan O'Connell" <ethano1114@gmail.com>
Date: 7/29/2021 2:51:06 PM
Subject: RE: Thread Wallets, LLC Letter (our

Hi Ethan. Yes, I reached out last week and explained our position, and on Monday they said they'd "get back to us promptly" but I haven't heard anything yet. I'll check in again now and see when we can expect to hear back.

Thanks,

Scott



SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Thursday, July 29, 2021 2:01 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Just want to check back in and see if we can put an order in for our new Crossbody bags. Were you able to talk with them a little more. Let me know.

Thank you,

Ethan

On Jul 22, 2021, at 3:24 PM, Scott Hilton <scott.hilton@kba.law> wrote:

Hi Ethan, thanks for letting me know on the timing. We'll do our best to resolve this ASAP.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Thursday, July 22, 2021 1:35 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Scott,

We are now out of cross body inventory. Because of the discussions, which have been ongoing with thread wallet. We are in a position where this is affecting our sales and revenue negatively. We would like to place our new order no later than next Friday. can we work to that goal.

Thank you,

Ethan

On Jul 20, 2021, at 4:17 PM, Scott Hilton <scott.hilton@kba.law> wrote:

Thanks Ethan, sounds like a plan. We'll push for that and I'll let you know how it goes.

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Tuesday, July 20, 2021 12:41 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Let's see if we can use what we currently newly developed. If that doesn't work we can speak with our manufacturer about possibly changing the shape of the ring. Let me know if you think that would work. And what they say.

Thank you,

Ethan

Sent from my iPhone

On Jul 20, 2021, at 11:17 AM, Scott Hilton <scott.hilton@kba.law> wrote:

Thanks Ethan. That Adidas bag doesn't really help our argument, since it's the placement of the D-rings that they have the problem with (not the use of D-rings themselves – that part was my counter to allow you to leave the rings in the same places). If you'd rather not change the location of the D-rings, we can counter that the other design changes are enough, which they may or may not agree with.

What if you only move the bottom to D-rings to the side (we can argue that moving the top two would place them in the way of the belt loops), would something like that work?

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney

50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Tuesday, July 20, 2021 10:50 AM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Thank you for speaking with them. I feel like we are in a good spot. I wanted to point out to you that other crossbodys on the market also use the D ring. I will attach Adidas crossbody, there are several more that use it. It's is very common and widely used with crossbodys across the industry. Can you suggest to them that since we are using 4 rings now, it will be a nice compromise. We are trying to establish a different look.

<https://www.tillys.com/product/adidas-originals-festival-crossbody-bag/384906100.html>

Thank you,

Ethan

On Jul 20, 2021, at 10:25 AM, Scott Hilton
<scott.hilton@kba.law> wrote:

Hi Ethan. I was able to speak to their attorneys this morning. They wanted me to tell you how much they appreciate the way Brixley has handled this so far.

They think the new design is mostly acceptable, and checks most of the boxes, but wanted you to consider moving the D-rings from the top/bottom shorter sides, to the left/right longer sides (since the D-ring placement is still the same). I pointed out that you now have 4 rings, which they said was helpful, but they still wanted you to consider that last change (they liked the other changes, including the belt loops, the logo movement, and the slightly higher zipper).

If moving the placement of the D-rings to the sides isn't acceptable for you, I asked about using rings of a different shape (rectangle, triangle, circle, etc.) and they thought that might be a compromise that would work as well.

Let me know what you think, or if you have a counter proposal. We're getting close on this.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT:
801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Wednesday, July 14, 2021 4:11 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

This is fantastic! Let me know how it goes. we want to put

BRIXLEY_007467

in an order with manufacture soon. If they are okay with our changes, we would love to file a design patent with you.

Thank you,

Ethan

On Jul 14, 2021, at 10:36 AM, Scott Hilton
<scott.hilton@kba.law> wrote:

Quick update, I'll be discussing this with their attorney next Tuesday morning (so far so good).

Thanks,

Scott

<20B75231325845249A31CFF92800EC8D.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

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On Jul 7, 2021, 8:18 AM -0600, Ethan

O'Connell <ethano1114@gmail.com>, wrote:

Thank you!!

Ethan

On Jul 6, 2021, at 2:51 PM,
Scott Hilton
<scott.hilton@kba.law> wrote:

Hey Ethan. I haven't heard
back yet, I'll check with them
and see where they're at on
this and let you know.

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101
OFFICE:
801.994.4646
DIRECT:
801.939.3691

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From: Ethan O'Connell
<ethano1114@gmail.com>
Sent: Tuesday, July 6, 2021
8:17 AM
To: Scott Hilton
<scott.hilton@kba.law>
Subject: Re: Thread Wallets,
LLC Letter (our

Hey Scott,

I hope you had a great 4th of July weekend. I just wanted to touch base with you and see if you were able to get a response back from their attorney, regarding our new design for the crossbody.

Thank you,

Ethan O'Connell

On Wed, Jun 23, 2021 at 6:44 PM Scott Hilton
<scott.hilton@kba.law> wrote:

Sounds good Ethan, we'll
move forward and let you
know how it goes.

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

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DIRECT:
801.939.3691

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prohibited.

From: Ethan O'Connell
<ethano1114@gmail.com>
Sent: Wednesday, June 23,
2021 6:38 PM
To: Scott Hilton
<scott.hilton@kba.law>
Subject: Re: Thread Wallets,
LLC Letter (our

Hey Scott,

In regards of filing a design patent, let's just go ahead and show them the new design. Like you said we can just make it confidential. I think that it is smart to share our new design and once we fully develop the new product, we would love to final for a design patent with you.

Let me know what they say!

Thank you,

Ethan

Sent from my iPhone

On Jun 23,
2021, at 10:24
AM, Scott
Hilton
<scott.hilton@kba.law> wrote:

Sounds good,
I'll run it past
them and let
you know how
it goes.

On your
question about
filing a design
patent
application,
normally it
would be a very
good idea to
file ahead of
sharing, but the
risk there is that

if they do press
for other
changes, and
you decide to
make them, the
application may
not cover the
design
(potentially
requiring
another patent
application). In
this case, since
we're only
sharing for
purposes of
settlement
negotiations,
you will have
some
protection, and
I'll mark them
as confidential
as well.

That being said,
we're absolutely
happy to help
get a design
patent
application filed
quickly ahead
of sharing if
you'd like – and
if there are
further
changes,
getting two
different design
patents isn't a
bad thing
either, so let me
know.

Thanks,

Scott

<image001.png>

SCOTT C.

HILTON

Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

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From: Ethan
O'Connell
<ethano1114@gmail.com>
Sent: Tuesday,
June 22, 2021
6:37 PM
To: Scott Hilton
<scott.hilton@kba.law>
Subject: Re:
Thread Wallets,
LLC Letter (our

Thanks for the

quick response.
I think if we can
use the new
design that
would be best
for us. Do you
think we would
have to file a
design patent
before we show
them? Just
don't want to
run into any
more issues
between both
of us. Let's
show these
pictures to their
attorneys and
we can go from
there.

Let me know
what they say :)

Thank you,

Ethan

Sent from my
iPhone

On
Jun
22,
202
1,
at
4:2
9
PM
,
Sco
tt

Hilt
on
<sc
ott.
hilt
on
@k
ba.l
aw
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Hi
Eth
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The
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SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

OFFICE:
801.994.4646
DIRECT:
801.939.3691

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<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

OFFICE:
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DIRECT:
801.939.3691

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From

:

Ethan
O'Connell

<

[ethano1114](mailto:ethano1114@gmail.com)

[@](mailto:ethano1114@gmail.com)

[gmail](mailto:ethano1114@gmail.com)

:

[com](mailto:ethano1114@gmail.com)

>

Sent

:

Tuesday

,

June
15

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2021

10

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39

PM

To

:

Scott

Hilton

<

scott

:

hilton

@

kba

:

law

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Subject

:

Re

:

Thread

Wallets

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LLC

Letter

(

our

Hey

Scott

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Thank

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for

letting

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this

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Let
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is
best
for
you
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Ethan

Sent
from
my
iPhone

On
Jun
15

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at
7

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34
PM

,
Scott
Hilton

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scott

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hilton

@
kba

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law

>
wrote

:

Hi
Ethan

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The
Thread
Wallets
attorney

got
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suggestions

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Thanks

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Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101
OFFICE:
801.994.4646
DIRECT:
801.939.3691

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From

:

James

W

.

McConkie

<

[jmccconkie](mailto:jmccconkie@wnlaw.com)

[@](mailto:jmccconkie@wnlaw.com)

[wnlaw](mailto:jmccconkie@wnlaw.com)

.

[com](mailto:jmccconkie@wnlaw.com)

>

Sent

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Tuesday

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June

15

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2021

5

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05

PM

To

:

Scott

Hilton

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scott

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hilton

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kba

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wnlaw

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com

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Lauren

Swenson

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lswenson

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kba

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srupp
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wnlaw
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com

Subject

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RE

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Thread
Wallets

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LLC
Letter
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Scott

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I

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a
chance
to
discuss
some
proposed
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the
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Best

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James

Proposed
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- for the rings .
 - Move the Brixley logo / tag to a location different than the location used by Thread .
- For example , the front branded logo tag should be removed from the bottom right corner and the back branded logo tag

- needs to be removed from the center on the back of the bag .
- Adjust the front zipper placement up or change the orientation of the zipper so as to make it different than the placement or orientation used by Thread .

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James

W

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McConkie

III

WORKMAN

NYDEGGER

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East

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Temple

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Suite

1000

Salt

Lake

City

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Utah

84111

Office

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Direct

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Email

jmconkie@wnlaw.com

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From

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Sent
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Best
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Scott

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SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101
OFFICE:
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DIRECT:
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From
:
James

BRIXLEY_007514

W

McConkie

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jmccconkie

@

wnlaw

.com

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Sent

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To

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Scott

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Subject

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RE

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Letter

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Attached

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Let
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Best
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James

W

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McConkie
III

WORKMAN

NYDEGGER

60
East
South
Temple

Suite
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Salt
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84111

Office

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Direct

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Email

jmccconkie
@
wnlaw
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com

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To

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James

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Subject

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Thread

Wallets

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Letter

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Best
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Scott

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SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101
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From: "Scott Hilton" <scott.hilton@kba.law>
To: "Ethan O'Connell" <ethano1114@gmail.com>
Date: 7/29/2021 3:30:14 PM
Subject: RE: Thread Wallets, LLC Letter (our

Quick update, their attorney is at a legal convention this week, so I'm not sure when he'll be able to get back to me – hopefully it will still be soon, but if not, we may have to wait until next week.

Thanks,

Scott



SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Scott Hilton
Sent: Thursday, July 29, 2021 2:51 PM
To: Ethan O'Connell <ethano1114@gmail.com>
Subject: RE: Thread Wallets, LLC Letter (our

Hi Ethan. Yes, I reached out last week and explained our position, and on Monday they said they'd "get back to us promptly" but I haven't heard anything yet. I'll check in again now and see when we can expect to hear back.

Thanks,

Scott



SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>

Sent: Thursday, July 29, 2021 2:01 PM

To: Scott Hilton <scott.hilton@kba.law>

Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Just want to check back in and see if we can put an order in for our new Crossbody bags. Were you able to talk with them a little more. Let me know.

Thank you,

Ethan

On Jul 22, 2021, at 3:24 PM, Scott Hilton <scott.hilton@kba.law> wrote:

Hi Ethan, thanks for letting me know on the timing. We'll do our best to resolve this ASAP.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON

Partner, Registered Patent Attorney

50 W BROADWAY, SUITE 1000

SALT LAKE CITY, UTAH 84101

OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>

Sent: Thursday, July 22, 2021 1:35 PM

To: Scott Hilton <scott.hilton@kba.law>

Subject: Re: Thread Wallets, LLC Letter (our

Scott,

We are now out of cross body inventory. Because of the discussions, which have been ongoing with thread wallet. We are in a position where this is affecting our sales and revenue negatively. We would like to place our new order no later than next Friday. can we work to that goal.

Thank you,

Ethan

On Jul 20, 2021, at 4:17 PM, Scott Hilton <scott.hilton@kba.law> wrote:

Thanks Ethan, sounds like a plan. We'll push for that and I'll let you know how it goes.

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Tuesday, July 20, 2021 12:41 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Let's see if we can use what we currently newly developed. If that doesn't work we can speak with our manufacturer about possibly changing the shape of the ring. Let me know if you think that would work. And what they say.

Thank you,

Ethan

Sent from my iPhone

On Jul 20, 2021, at 11:17 AM, Scott Hilton <scott.hilton@kba.law>

wrote:

Thanks Ethan. That Adidas bag doesn't really help our argument, since it's the placement of the D-rings that they have the problem with (not the use of D-rings themselves – that part was my counter to allow you to leave the rings in the same places). If you'd rather not change the location of the D-rings, we can counter that the other design changes are enough, which they may or may not agree with.

What if you only move the bottom to D-rings to the side (we can argue that moving the top two would place them in the way of the belt loops), would something like that work?

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Tuesday, July 20, 2021 10:50 AM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Thank you for speaking with them. I feel like we are in a good spot. I wanted to point out to you that other crossbody bags on the market also use the D ring. I will attach Adidas crossbody, there are several more

that use it. It's is very common and widely used with crossbodys across the industry. Can you suggest to them that since we are using 4 rings now, it will be a nice compromise. We are trying to establish a different look.

<https://www.tillys.com/product/adidas-originals-festival-crossbody-bag/384906100.html>

Thank you,

Ethan

On Jul 20, 2021, at 10:25 AM, Scott Hilton
<scott.hilton@kba.law> wrote:

Hi Ethan. I was able to speak to their attorneys this morning. They wanted me to tell you how much they appreciate the way Brixley has handled this so far.

They think the new design is mostly acceptable, and checks most of the boxes, but wanted you to consider moving the D-rings from the top/bottom shorter sides, to the left/right longer sides (since the D-ring placement is still the same). I pointed out that you now have 4 rings, which they said was helpful, but they still wanted you to consider that last change (they liked the other changes, including the belt loops, the logo movement, and the slightly higher zipper).

If moving the placement of the D-rings to the sides isn't acceptable for you, I asked about using rings of a different shape (rectangle, triangle, circle, etc.) and they thought that might be a compromise that would work as well.

Let me know what you think, or if you have a counter proposal. We're getting close on this.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney

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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Wednesday, July 14, 2021 4:11 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

This is fantastic! Let me know how it goes. we want to put in an order with manufacture soon. If they are okay with our changes, we would love to file a design patent with you.

Thank you,

Ethan

On Jul 14, 2021, at 10:36 AM, Scott Hilton
<scott.hilton@kba.law> wrote:

Quick update, I'll be discussing this with their attorney next Tuesday morning (so far so good).

Thanks,

Scott

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SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
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CITY, UTAH
84101

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On Jul 7, 2021, 8:18 AM -0600, Ethan
O'Connell <ethano1114@gmail.com>, wrote:

Thank you!!

Ethan

On Jul 6, 2021, at 2:51 PM,
Scott Hilton
<scott.hilton@kba.law> wrote:

Hey Ethan. I haven't heard
back yet, I'll check with them
and see where they're at on
this and let you know.

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
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CITY, UTAH
84101

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From: Ethan O'Connell
<ethano1114@gmail.com>
Sent: Tuesday, July 6, 2021
8:17 AM
To: Scott Hilton
<scott.hilton@kba.law>
Subject: Re: Thread Wallets,
LLC Letter (our

Hey Scott,

I hope you had a great 4th of July weekend. I just wanted to touch base with you and see if you were able to get a response back from their attorney, regarding our new design for the crossbody.

Thank you,

Ethan O'Connell

On Wed, Jun 23, 2021 at 6:44

PM Scott Hilton

<scott.hilton@kba.law> wrote:

Sounds good Ethan, we'll move forward and let you know how it goes.

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
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From: Ethan O'Connell
<ethano1114@gmail.com>
Sent: Wednesday, June 23,
2021 6:38 PM
To: Scott Hilton
<scott.hilton@kba.law>
Subject: Re: Thread Wallets,
LLC Letter (our

Hey Scott,

In regards of filing a design patent, let's just go ahead and show them the new design. Like you said we can just make it confidential. I think that it is smart to share our new design and once we fully develop the new product, we would love to final for a design patent with you.

Let me know what they say!

Thank you,

Ethan

Sent from my iPhone

On Jun 23,
2021, at 10:24
AM, Scott
Hilton
<scott.hilton@kba.law>
[ba.law](mailto:scott.hilton@kba.law)> wrote:

Sounds good,
I'll run it past
them and let
you know how
it goes.

On your
question about
filing a design
patent
application,
normally it
would be a very
good idea to
file ahead of
sharing, but the
risk there is that
if they do press
for other
changes, and
you decide to
make them, the
application may
not cover the
design
(potentially
requiring
another patent
application). In
this case, since
we're only
sharing for
purposes of
settlement
negotiations,
you will have
some
protection, and
I'll mark them
as confidential
as well.

That being said,
we're absolutely

happy to help
get a design
patent
application filed
quickly ahead
of sharing if
you'd like – and
if there are
further
changes,
getting two
different design
patents isn't a
bad thing
either, so let me
know.

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
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From: Ethan
O'Connell
<ethano1114@gmail.com>
Sent: Tuesday,
June 22, 2021
6:37 PM
To: Scott Hilton
<scott.hilton@kba.law>
Subject: Re:
Thread Wallets,
LLC Letter (our

Thanks for the quick response. I think if we can use the new design that would be best for us. Do you think we would have to file a design patent before we show them? Just don't want to run into any more issues between both of us. Let's show these pictures to their attorneys and we can go from there.

Let me know what they say :)

Thank you,

Ethan

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SCOTT C.
HILTON
Partner,
Registered
Patent
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50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

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SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

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From
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Ethan
O'Connell
<

ethano1114
@
gmail

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com

>

Sent

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Tuesday

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PM

To

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Scott

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Subject

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Re

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Thread

Wallets

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Letter

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Hey
Scott

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Thank
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Sent
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PM

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Scott

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Thanks

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Scott

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SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
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From

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James

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Sent
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Tuesday
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Subject

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Thread

Wallets

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LLC

Letter

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Best

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James

Proposed
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- shaped rings and a different attachment point for the rings.

- Move the Brixley logo / tag to a location different than the location used by Thread.

For example,

the front branded logo tag should be removed from the bottom right

- corner
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Email

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Best
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Scott

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SCOTT C.
HILTON
Partner,
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Patent
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50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
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From

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To

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wnlaw

com

Subject

:

RE

:

Thread

Wallets

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LLC

Letter

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our

Scott

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Attached

is

a

letter

listing

some

of

the

additional

info

you

asked

for
in
your
recent
correspondence
.

Let
me
know
if
you
are
available
for
a
call
next
week
on
Wednesday
morning
.

I
think
a
call
to
discuss
how
the
parties
can
resolve
their
differences
would
be
helpful
at
this
point
.

Best

,

James

W

.

McConkie

III

WORKMAN

NYDEGGER

60

East

South

Temple

,

Suite

1000

Salt

Lake

City

,

Utah

84111

Office

-

Direct

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-

8841

Email

jmccconkie

@

wnlaw

.

com

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Any
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unlawful*

From

:

Scott
Hilton

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scott

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hilton

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kba

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Sent

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Tuesday

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May

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2021

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PM

To

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James

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McConkie

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JMcConkie

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Subject

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Thread

Wallets

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LLC

Letter

(

our

Hi
James

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We
received
your
letter
to
Brixley
Bags
regarding
Thread
Wallets
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Please
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requesting
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allegations
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Best
Regards

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101
OFFICE:
801.994.4646
DIRECT:
801.939.3691

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From: "Ethan O'Connell" <ethano1114@gmail.com>
To: "Scott Hilton" <scott.hilton@kba.law>
Date: 7/30/2021 10:17:33 AM
Subject: Re: Thread Wallets, LLC Letter (our

Thanks Scott!

Ethan

On Jul 29, 2021, at 3:30 PM, Scott Hilton <scott.hilton@kba.law> wrote:

Quick update, their attorney is at a legal convention this week, so I'm not sure when he'll be able to get back to me – hopefully it will still be soon, but if not, we may have to wait until next week.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Scott Hilton
Sent: Thursday, July 29, 2021 2:51 PM
To: Ethan O'Connell <ethano1114@gmail.com>
Subject: RE: Thread Wallets, LLC Letter (our

Hi Ethan. Yes, I reached out last week and explained our position, and on Monday they said they'd "get back to us promptly" but I haven't heard anything yet. I'll check in again now and see when we can expect to hear back.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney

50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Thursday, July 29, 2021 2:01 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Just want to check back in and see if we can put an order in for our new Crossbody bags. Were you able to talk with them a little more. Let me know.

Thank you,

Ethan

On Jul 22, 2021, at 3:24 PM, Scott Hilton <scott.hilton@kba.law> wrote:

Hi Ethan, thanks for letting me know on the timing. We'll do our best to resolve this ASAP.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Thursday, July 22, 2021 1:35 PM

BRIXLEY_007588

To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Scott,

We are now out of cross body inventory. Because of the discussions, which have been ongoing with thread wallet. We are in a position where this is affecting our sales and revenue negatively. We would like to place our new order no later than next Friday. can we work to that goal.

Thank you,

Ethan

On Jul 20, 2021, at 4:17 PM, Scott Hilton <scott.hilton@kba.law> wrote:

Thanks Ethan, sounds like a plan. We'll push for that and I'll let you know how it goes.

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Tuesday, July 20, 2021 12:41 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Let's see if we can use what we currently newly developed. If that doesn't work

we can speak with our manufacturer about possibly changing the shape of the ring. Let me know if you think that would work. And what they say.

Thank you,

Ethan

Sent from my iPhone

On Jul 20, 2021, at 11:17 AM, Scott Hilton <scott.hilton@kba.law> wrote:

Thanks Ethan. That Adidas bag doesn't really help our argument, since it's the placement of the D-rings that they have the problem with (not the use of D-rings themselves – that part was my counter to allow you to leave the rings in the same places). If you'd rather not change the location of the D-rings, we can counter that the other design changes are enough, which they may or may not agree with.

What if you only move the bottom to D-rings to the side (we can argue that moving the top two would place them in the way of the belt loops), would something like that work?

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

From: Ethan O'Connell <ethano1114@gmail.com>

Sent: Tuesday, July 20, 2021 10:50 AM

To: Scott Hilton <scott.hilton@kba.law>

Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Thank you for speaking with them. I feel like we are in a good spot. I wanted to point out to you that other crossbodies on the market also use the D ring. I will attach Adidas crossbody, there are several more that use it. It's is very common and widely used with crossbodies across the industry. Can you suggest to them that since we are using 4 rings now, it will be a nice compromise. We are trying to establish a different look.

<https://www.tillys.com/product/adidas-originals-festival-crossbody-bag/384906100.html>

Thank you,

Ethan

On Jul 20, 2021, at 10:25 AM, Scott Hilton
<scott.hilton@kba.law> wrote:

Hi Ethan. I was able to speak to their attorneys this morning. They wanted me to tell you how much they appreciate the way Brixley has handled this so far.

They think the new design is mostly acceptable, and checks most of the boxes, but wanted you to consider moving the D-rings from the top/bottom shorter sides, to the left/right longer sides (since the D-ring placement is still the same). I pointed out that you now have 4 rings, which they said was helpful, but they still wanted you to consider that last change (they liked the other changes, including the belt loops, the logo movement, and the slightly higher zipper).

If moving the placement of the D-rings to the sides isn't acceptable for you, I asked about using rings of a different shape (rectangle, triangle, circle, etc.) and they thought that might be a compromise that would work as well.

Let me know what you think, or if you have a counter proposal. We're getting close on this.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent
Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT:
801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Wednesday, July 14, 2021 4:11 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

This is fantastic! Let me know how it goes. we want to put in an order with manufacture soon. If they are okay with our changes, we would love to file a design patent with you.

Thank you,

Ethan

On Jul 14, 2021, at 10:36 AM, Scott Hilton
<scott.hilton@kba.law> wrote:

Quick update, I'll be discussing this with
their attorney next Tuesday morning (so
far so good).

Thanks,

Scott

<20B75231325845249A31CFF92800EC8D.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

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On Jul 7, 2021, 8:18 AM -0600, Ethan

O'Connell <ethano1114@gmail.com>, wrote:

Thank you!!

Ethan

On Jul 6, 2021, at 2:51 PM, Scott Hilton
<scott.hilton@kba.law>
wrote:

Hey Ethan. I haven't heard back yet, I'll check with them and see where they're at on this and let you know.

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney
50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
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From: Ethan O'Connell
<ethano1114@gmail.com>

Sent: Tuesday, July 6,
2021 8:17 AM

To: Scott Hilton
<scott.hilton@kba.law>

Subject: Re: Thread
Wallets, LLC Letter (our

Hey Scott,

I hope you had a great 4th of July weekend. I just wanted to touch base with you and see if you were able to get a response back from their attorney, regarding our new design for the crossbody.

Thank you,

Ethan O'Connell

On Wed, Jun 23, 2021 at 6:44 PM Scott Hilton
<scott.hilton@kba.law>
wrote:

Sounds good Ethan,
we'll move forward and
let you know how it
goes.

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
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From: Ethan O'Connell
<ethano1114@gmail.com>

Sent: Wednesday, June
23, 2021 6:38 PM

To: Scott Hilton
<scott.hilton@kba.law>

>

Subject: Re: Thread

Wallets, LLC Letter (our

Hey Scott,

In regards of filing a design patent, let's just go ahead and show them the new design. Like you said we can just make it confidential. I think that it is smart to share our new design and once we fully develop the new product, we would love to final for a design patent with you.

Let me know what they say!

Thank you,

Ethan

Sent from my iPhone

On Jun 23,
2021, at
10:24 AM,
Scott
Hilton
<scott.hilton@kba.la>
wrote:

Sounds
good, I'll
run it past
them and
let you
know how

it goes.

On your question about filing a design patent application, normally it would be a very good idea to file ahead of sharing, but the risk there is that if they do press for other changes, and you decide to make them, the application may not cover the design (potentially requiring another patent application). In this case, since we're only sharing for purposes of settlement negotiatio

ns, you will
have some
protection,
and I'll
mark them
as
confidenti
al as well.

That being
said, we're
absolutely
happy to
help get a
design
patent
application
filed
quickly
ahead of
sharing if
you'd like
– and if
there are
further
changes,
getting
two
different
design
patents
isn't a bad
thing
either, so
let me
know.

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
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From:
Ethan
O'Connell
<ethano1114@gmail.com>
Sent:
Tuesday,
June 22,
2021 6:37
PM
To: Scott
Hilton
<scott.hilton@kba.la>
Subject:
Re: Thread

Wallets,
LLC Letter
(our

Thanks for
the quick
response. I
think if we
can use
the new
design
that would
be best for
us. Do you
think we
would
have to file
a design
patent
before we
show
them? Just
don't want
to run into
any more
issues
between
both of us.
Let's show
these
pictures to
their
attorneys
and we
can go
from
there.

Let me
know what
they say :)

Thank you,

Ethan

Sent from
my iPhone

On
Jun
22

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2021

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at
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PM

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Scott
Hilton
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scott

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wrote

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Hi
Ethan

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thanks
for
following
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The

pictures
were
helpful

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Let
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Thanks

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Scott

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SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
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From
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Ethan
O'Connell
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ethano1114
@
gmail
:
com
>

Sent

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Tuesday

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June
22

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2021
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06
AM

To
:
Scott
Hilton
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scott

;
hilton
@
kba

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law
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Subject

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Re
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Thread
Wallets

,
LLC
Letter
(
our

Hey
Scott

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I
just
wanted
to
reach
out
and
see
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you
had
a
chance
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pictures
that
I
have

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in
the
earlier
email

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If
you
need
to
see
more
pictures
let
me
know
.

Thank
you

,

Ethan

On
Thu

,
Jun
17

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2021

at
8

:
30

AM

Ethan
O'Connell

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ethano1114

@

gmail

:
com

>

wrote

:

Hey
Scott

,

This
was
just
a
sample
that
when
have
designed
the
with

our
manufacturer

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We
have
add
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earlier
email

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Let
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Thank
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Ethan

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scott

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hilton

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kba

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SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
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CITY, UTAH
84101

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From
:
Ethan

O'Connell

<

ethano1114

@

gmail

.
com

>

Sent

:

Tuesday

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June

15

,

2021

10

:

39

PM

To

:

Scott

Hilton

<

scott

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hilton

@

kba

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law

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Subject

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Re
:
Thread
Wallets

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LLC
Letter
(
our

Hey
Scott

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Thank
you
for
letting
me
know
this

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We
have
changed
a
few
things
on
the
bag

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pictures
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that
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help

Let
me
know
what
is
best
for
you

Ethan

Sent
from
my
iPhone

On
Jun
15

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2021

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at
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PM

,
Scott
Hilton
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scott

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hilton

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kba

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law

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wrote

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Hi

Ethan

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The

Thread

Wallets

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Thanks

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Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101
OFFICE:
801.994.4646
DIRECT:
801.939.3691

This e-mail message is intended only for the recipient(s)
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prohibited.

From

:

James

W

.

McConkie

<

[jmccconkie](mailto:jmccconkie@wnlaw.com)

[@](mailto:jmccconkie@wnlaw.com)

[wnlaw](mailto:jmccconkie@wnlaw.com)

.

[com](mailto:jmccconkie@wnlaw.com)

>

Sent

:

Tuesday

,

June

15

,

2021

5

:

05

PM

To

:

Scott

Hilton

<

[scott](mailto:scott.hilton@kba-law.com)

.

[hilton](mailto:scott.hilton@kba-law.com)

[@](mailto:scott.hilton@kba-law.com)

[kba](mailto:scott.hilton@kba-law.com)

.

[law](mailto:scott.hilton@kba-law.com)

>

Cc

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scourdy

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wnlaw

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com

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Lauren

Swenson

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lswenson

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kba

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law

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wnlaw

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Subject

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RE

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Thread

Wallets

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LLC

Letter

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Scott

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I

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to

discuss

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changes

to

the

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generation

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the

Brixley

Crossbody

Bag

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client

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Thread

Wallets

LLC

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The

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I
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Best
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James

Proposed
changes
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- Move
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rings
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- Move
the
Brixley
logo
/
tag
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location
different
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the
location
used

- by Thread.
For example,
the front branded logo tag should be removed from the bottom right corner and the back branded logo tag needs to be removed from the center on the back of the bag.

- Adjust the

- front zipper placement up or change the orientation of the zipper so as to make it different than the placement or orientation used by Thread .

<
image002

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png
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<
image003

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>

James

W

.

McConkie

III

WORKMAN

NYDEGGER

60

East

South

Temple

,

Suite

1000

Salt

Lake

City

,

Utah

84111

Office

-

Direct

:

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801

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321

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8841

Email

jmccconkie

@

wnlaw

.

com

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From

:
Scott
Hilton
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scott

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hilton
@
kba

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law
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Sent

BRIXLEY_007632

:
Friday

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May
21

,
2021
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AM

To

:
James
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McConkie
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JMcConkie
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WNLaw
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Subject

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RE

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Thread

Wallets

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LLC

Letter

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Thank

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James

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Best

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Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

OFFICE:
801.994.4646
DIRECT:
801.939.3691

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From
:
James
W
.
McConkie
<
jmccconkie@wnlaw.com
>

Sent

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Friday

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May

21

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2021

11

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15

AM

To

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Scott

Hilton

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scott

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hilton

@

kba

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scourdy

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wnlaw

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com

Subject

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RE

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Thread

Wallets

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LLC

Letter

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Scott

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Attached

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Let

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know

if

you

are

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call

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week
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Wednesday
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I
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call
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how
the
parties
can
resolve
their
differences
would
be
helpful
at
this
point
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Best

,

James
W

.

McConkie
III

WORKMAN

NYDEGGER

60
East
South
Temple

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Suite
1000

Salt
Lake
City

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Utah
84111

Office

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8841

Email

jmccconkie

@

wnlaw

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From

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Hilton

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scott

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Sent

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Tuesday

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May

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2021

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PM

To

:

James

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.

McConkie

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JMcConkie

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WNLaw

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com

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Subject

:

Thread

Wallets

,

LLC

Letter

(

our

Hi

James

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We

received

your

letter

to

Brixley

Bags

regarding

Thread

Wallets

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Please
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Best
Regards

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Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

OFFICE:
801.994.4646
DIRECT:
801.939.3691

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From: "Ethan O'Connell" <ethano1114@gmail.com>
To: "Scott Hilton" <scott.hilton@kba.law>
Date: 8/3/2021 10:04:30 AM
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

I just wanted to follow up and see if their attorney made it back from the convention.

Thank you,

Ethan

On Fri, Jul 30, 2021 at 10:17 AM Ethan O'Connell <ethano1114@gmail.com> wrote:

Thanks Scott!

Ethan

On Jul 29, 2021, at 3:30 PM, Scott Hilton <scott.hilton@kba.law> wrote:

Quick update, their attorney is at a legal convention this week, so I'm not sure when he'll be able to get back to me – hopefully it will still be soon, but if not, we may have to wait until next week.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON

Partner, Registered Patent Attorney

50 W BROADWAY, SUITE 1000

SALT LAKE CITY, UTAH 84101

OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Scott Hilton
Sent: Thursday, July 29, 2021 2:51 PM
To: Ethan O'Connell <ethano1114@gmail.com>
Subject: RE: Thread Wallets, LLC Letter (our

Hi Ethan. Yes, I reached out last week and explained our position, and on Monday they said they'd "get back to us promptly" but I haven't heard anything yet. I'll check in again now and see when we can expect to hear back.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON

Partner, Registered Patent Attorney

50 W BROADWAY, SUITE 1000

SALT LAKE CITY, UTAH 84101

OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>

Sent: Thursday, July 29, 2021 2:01 PM

To: Scott Hilton <scott.hilton@kba.law>

Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Just want to check back in and see if we can put an order in for our new Crossbody bags. Were you able to talk with them a little more. Let me know.

Thank you,

Ethan

On Jul 22, 2021, at 3:24 PM, Scott Hilton <scott.hilton@kba.law> wrote:

Hi Ethan, thanks for letting me know on the timing. We'll do our best to resolve this ASAP.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON

Partner, Registered Patent Attorney

50 W BROADWAY, SUITE 1000

SALT LAKE CITY, UTAH 84101

OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>

Sent: Thursday, July 22, 2021 1:35 PM

To: Scott Hilton <scott.hilton@kba.law>

BRIXLEY_007650

Subject: Re: Thread Wallets, LLC Letter (our

Scott,

We are now out of cross body inventory. Because of the discussions, which have been ongoing with thread wallet. We are in a position where this is affecting our sales and revenue negatively. We would like to place our new order no later than next Friday. can we work to that goal.

Thank you,

Ethan

On Jul 20, 2021, at 4:17 PM, Scott Hilton <scott.hilton@kba.law> wrote:

Thanks Ethan, sounds like a plan. We'll push for that and I'll let you know how it goes.

<image001.png>

SCOTT C. HILTON

Partner, Registered Patent Attorney

BRIXLEY_007651

50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Tuesday, July 20, 2021 12:41 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Let's see if we can use what we currently newly developed. If that doesn't work we can speak with our manufacturer about possibly changing the shape of the ring. Let me know if you think that would work. And what they say.

Thank you,

Ethan

Sent from my iPhone

On Jul 20, 2021, at 11:17 AM, Scott Hilton
<scott.hilton@kba.law> wrote:

Thanks Ethan. That Adidas bag doesn't really help our argument, since it's the placement of the D-rings that they have the problem with (not the use of D-rings themselves – that part was my counter to allow you to leave the rings in the same places). If you'd rather not change the location of the D-rings, we can counter that the other design changes are enough, which they may or may not agree with.

What if you only move the bottom to D-rings to the side (we can argue that moving the top two would place them in the way of the belt loops), would something like that work?

Thanks,

Scott

<image001.png>

SCOTT C. HILTON

Partner, Registered Patent Attorney

50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101

OFFICE: 801.994.4646 DIRECT:
801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>

Sent: Tuesday, July 20, 2021 10:50 AM

To: Scott Hilton <scott.hilton@kba.law>

Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Thank you for speaking with them. I feel like we are in a good spot. I wanted to point out to you that other crossbodys on the market also use the D ring. I will attach Adidas crossbody, there are several more that use it. It's is very common and widely used with crossbodys across the industry. Can you suggest to them that since we are using 4 rings now, it will be a nice compromise. We are trying to establish a different look.

<https://www.tillys.com/product/adidas-originals-festival-crossbody-bag/384906100.html>

Thank you,

Ethan

On Jul 20, 2021, at 10:25 AM, Scott Hilton
<scott.hilton@kba.law> wrote:

Hi Ethan. I was able to speak to their attorneys this morning. They wanted me to tell you how much they appreciate the way Brixley has handled this so far.

They think the new design is mostly

acceptable, and checks most of the boxes, but wanted you to consider moving the D-rings from the top/bottom shorter sides, to the left /right longer sides (since the D-ring placement is still the same). I pointed out that you now have 4 rings, which they said was helpful, but they still wanted you to consider that last change (they liked the other changes, including the belt loops, the logo movement, and the slightly higher zipper).

If moving the placement of the D-rings to the sides isn't acceptable for you, I asked about using rings of a different shape (rectangle, triangle, circle, etc.) and they thought that might be a compromise that would work as well.

Let me know what you think, or if you have a counter proposal. We're getting close on this.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON

Partner, Registered
Patent Attorney

50 W BROADWAY, SUITE
1000
SALT LAKE CITY, UTAH
84101
OFFICE: 801.994.4646
DIRECT: 801.939.3691

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From: Ethan O'Connell
<ethano1114@gmail.com>
Sent: Wednesday, July 14, 2021 4:11 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

This is fantastic! Let me know how it goes. we want to put in an order with manufacture soon. If they are okay with our changes, we would love to file a design patent with you.

Thank you,

Ethan

On Jul 14, 2021, at 10:36 AM, Scott
Hilton <scott.hilton@kba.law>
wrote:

Quick update, I'll be discussing this
with their attorney next Tuesday
morning (so far so good).

Thanks,

Scott

<20B75231325845249A31CFF92800EC8D.png>

SCOTT C.
HILTON

Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

OFFICE:
801.994.4646
DIRECT:
801.939.3691

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On Jul 7, 2021, 8:18 AM -0600,

BRIXLEY_007659

Ethan O'Connell
<ethano1114@gmail.com>, wrote:

Thank you!!

Ethan

On Jul 6, 2021, at
2:51 PM, Scott
Hilton
<scott.hilton@kba.la
w> wrote:

Hey Ethan. I haven't
heard back yet, I'll
check with them and
see where they're at
on this and let you
know.

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON

Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

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801.994.4646
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From: Ethan
O'Connell
<ethano1114@gmail.com>
Sent: Tuesday, July
6, 2021 8:17 AM
To: Scott Hilton
<scott.hilton@kba.la>
Subject: Re: Thread
Wallets, LLC Letter
(our

Hey Scott,

I hope you had a
great 4th of July
weekend. I just
wanted to touch

base with you and
see if you were able
to get a
response back from
their attorney,
regarding our new
design for the
crossbody.

Thank you,

Ethan O'Connell

On Wed, Jun 23,
2021 at 6:44 PM
Scott Hilton
<scott.hilton@kba.la
w> wrote:

Sounds good
Ethan, we'll move
forward and let

you know how it
goes.

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON

Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

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801.994.4646
DIRECT:
801.939.3691

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immediately if you are not an intended recipient or its agent. Be aware that any unauthoriz
prohibited.

From: Ethan
O'Connell
<ethano1114@gmail.com>
Sent: Wednesday,
June 23, 2021 6:38
PM
To: Scott Hilton
<scott.hilton@kba.law>
Subject: Re:
Thread Wallets,
LLC Letter (our

Hey Scott,

In regards of filing
a design patent,
let's just go ahead
and show them
the new design.
Like you said we
can just make it
confidential. I
think that it is
smart to share our
new design and
once we fully
develop the new
product, we
would love to final
for a design
patent with you.

Let me know what
they say!

Thank you,

Ethan

Sent from my
iPhone

On Jun
23,
2021,
at
10:24
AM,
Scott
Hilton
<scott.hilton@kba.law>
wrote:

Sound
s
good,
I'll run
it past
them

and let
you
know
how it
goes.

On
your
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In this case, since we're only sharing for purposes of settlement negotiations, you will have some protection, and I'll mark them as confidential as well.

That being said,

we're
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happy
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get a
design
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patent
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a bad
thing
either,
so let
me
know.

Thanks

,

Scott

<image001.png>

SCOTT C.
HILTON

Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

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From:
Ethan
O'Con
nell
<[ethan
oconnell1114@gmail.com](mailto:ethan.oconnell1114@gmail.com)
>

Sent:
Tuesd
ay,
June
22,
2021
6:37
PM
To:
Scott
Hilton
<scott.hilton@kba.law>
Subject:
Re: Thread
Wallet
s, LLC
Letter
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Thanks
for the
quick
respon
se. I

think if
we can
use
the
new
design
that
would
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for us.
Do
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Let's
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we can
go
from
there.

Let me
know
what
they
say :)

Thank
you,

Ethan

Sent
from
my
iPhone

On
Jun
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Scott

Hilton

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law

>

wrote

:

Hi

Ethan

,

thanks

for

following

up

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The

pictures
were
helpful

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and
the
new
design
does
look
quite
a
bit
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theirs

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The
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case

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images
with

their
attorney
with
the
explanation
that
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was
the
redesign
you
,

d
already
been
working
on
before
receiving
their
suggestions
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and
ask
if
those
changes
are
acceptable

to
Thread
Wallets
.

Let
me
know
what
you
think
–
if
using
circular
or
rectangular
rings
or
moving
the
front
zipper
further
toward
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top
of

the
bag
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I
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good
chance
they
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ll
accept
this
new
design
as
is
.

Thanks
,

Scott

<image001.png>

SCOTT C.
HILTON

Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

OFFICE:
801.994.4646
DIRECT:
801.939.3691

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BRIXLEY_007687

From
:
Ethan
O'Connell
<
[ethano1114
@
gmail
:
com](mailto:ethano1114@gmail.com)
>

Sent
:
Tuesday
,
June
22
,
2021
11
:

06
AM

To
:
Scott
Hilton
<

scott
:
hilton
@
kba
:
law
>

Subject
:
Re
:
Thread
Wallets
,
LLC
Letter

(
our

Hey
Scott
,

I
just
wanted
to
reach
out
and
see
if
you
had
a
chance
to
look
at

the
pictures
that
I
have

attached
in
the
earlier
email

.
If
you
need
to
see
more
pictures
let
me
know

.

Thank
you
,

Ethan

On
Thu
,
Jun
17
,
2021
at
8
:
30
AM
Ethan
O'Connell
<

ethano1114

@

gmail

:

com

>

wrote

:

Hey
Scott

,

This
was
just
a
sample
that
when
have
designed
the
with
our

manufacturer

.

We
have
add
a
few
things
as
I
mentioned
in
our
earlier
email

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Let
me
know
if
you
think
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or
need
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change
some
other
aspects
of
our
crossbody

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Thank
you

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Ethan

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image004

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On
Jun
16

,

2021

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at

10

:

42

AM

,

Scott

Hilton

<

scott

,

hilton

@

kba

,

law

>

wrote

:

Thanks
Ethan

.
Pictures
would
be
great

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please
send
them
over

.
They

,
re
asking
for
a
few
more
changes
than
that

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but
let
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take
a
look
and
we
can
make
a
counter
proposal
if
we
think
it
looks
different
enough
.

<image001.png>

SCOTT C.
HILTON

Partner,
Registered

BRIXLEY_007699

Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

OFFICE:

801.994.4646

DIRECT:

801.939.3691

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From

:

Ethan

O'Connell

<

[ethano1114](mailto:ethano1114@gmail.com)

[@](mailto:ethano1114@gmail.com)

[gmail](mailto:ethano1114@gmail.com)

.

[com](mailto:ethano1114@gmail.com)

>

Sent

:

Tuesday

BRIXLEY_007701

,
June
15

,
2021
10
:
39
PM

To
:
Scott
Hilton
<

scott

;
hilton
@
kba

;
law
>

Subject

:

Re

:

Thread

Wallets

,

LLC

Letter

(

our

Hey

Scott

,

Thank

you

for

letting
me
know
this
.
We
have
changed
a
few
things
on
the
bag
,
which
include
different
placement
of
logo
,
added
one
more
d

-
ring
.
We
also
added
a
functionality
to
make
it
a
fanny
pack
.
This
has
moved
the
pocket
on
the
back
lower
.
Do

you
think
this
is
enough
?

I
can
also
send
you
some
pictures
if
that
would
help
.

Let
me

know
what
is
best
for
you
,

Ethan

Sent
from
my
iPhone

On
Jun
15

,
2021

,
at
7

:
34
PM

,
Scott
Hilton
<

scott

,
hilton

@
kba

,
law

>
wrote

:

Hi
Ethan
.
The
Thread
Wallets
attorney
got
back
to
me
today
on
their
suggestions
,
and
they
,
re
along
the
lines
of
what

we
guessed
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shape
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location
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rings
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location
of
tag
,
placement
of
front
zipper
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We
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discuss
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breakers
and
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can
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maybe
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location
of
the
d
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rings

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if

that

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s

essential

for

the

functionality

).

Thanks

,

Scott

<image001.png>

SCOTT C
HILTON

Partner,
Registered
Patent
Attorney

50 W
BROADV
SUITE 1C
SALT LAKE
CITY, UT
84101

OFFICE:
801.994.
DIRECT:
801.939.

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From

:

James

W

.

McConkie

<

[jmccconkie](#)

[@](#)

[wnlaw](#)

.

[com](#)

>

Sent
:
Tuesday
,
June
15
,
2021
5
:
05
PM

To
:
Scott
Hilton
<

scott

.

hilton

@

kba

.

law

>

Cc

:

scourdy

@

wnlaw

.

com

;

Lauren

Swenson

<

lswenson

@

kba

.

law

>;

srupp

@

wnlaw

.com

Subject

:

RE

:

Thread

Wallets

,

LLC

Letter

(

our

Scott

,

I

,

ve
had
a
chance
to
discuss
some
proposed
changes
to
the
next
generation
of
the
Brixley
Crossbody
Bag
with
my

client

,
Thread
Wallets
LLC

The
idea
is
that
if
your
client
is
willing
to
sell
off
its
existing
bags
and
make
the

changes
suggested
on
or
in
connection
with
any
future
crossbody
bag
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the
parties
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respectively
move
forward
marketing
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selling
and
otherwise
using
their

bags

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We
are
open
to
memorializing
the
same
in
a
written
agreement
or
by
way
of
a
less
formal
letter
agreement
listing
the

above
terms
and
signed
/
acknowledged
by
your
client
.

I
look
forward
to
hearing
from
you
.

Best
,

James

Proposed
changes

:

- Move
/
remove
the
d
-
rings
from
the
back
of
the
bag
in
favor
of
different
shaped

- rings
and
a
different
attachment
point
for
the
rings
.
- Move
the
Brixley
logo
/
tag
to
a
location
different
than
the
location
used
by

- Thread

.

For
example

,

the
front
branded
logo
tag
should
be
removed
from
the
bottom
right
corner
and
the
back
branded
logo
tag
needs

- to
be
removed
from
the
center
on
the
back
of
the
bag
.
- Adjust
the
front
zipper
placement
up
or
change
the
orientation
of

- the zipper so as to make it different than the placement or orientation used by Thread .

<
image002
.
png

>

<
image003

.
png
>

James
W
. McConkie
III

WORKMAN

NYDEGGER

60

East
South
Temple
,

Suite
1000

Salt
Lake
City
,
Utah
84111

Office
-
Direct
:
(
801
)
321
-
8841

Email

jmconkie
@
wnlaw

.
com

*This
email
may
contain
material
that
is
confidential*

*,
privileged
and
/*

*or
attorney
work
product
for
the
sole
use
of
the
intended
recipient*

*.
Any
unauthorized
review*

*,
use
,*

*or
distribution
is
prohibited
and
may
be
unlawful
.*

From
:
Scott
Hilton
<

scott
:
hilton
@
kba
:
law
>

Sent
:
Friday
,
May
21
,
2021
11
:
52
AM

To
:
James
W
.
McConkie
<

JMcConkie
@

WNLaw

;
com
>

Cc
:
Shellie
C
.
Courdy
<

SCourdy
@
WNLaw

;
com
>;

lswenson
@
kba

;

law

Subject

:

RE

:

Thread
Wallets

,

LLC

Letter

(

our

Thank
you
James

,

that

,

s

very

helpful

.

I

,

m
available
for

a

call

any

time

after

9

:

30

AM

next

Wednesday

to

discuss

,

please

feel

free
to
call
my
direct
number
(
801
-
939
-
3691
)
if
there
,
s
a
time
that
works
for
you
that
morning

Best

Scott

<image001.png>

SCOTT C
HILTON

Partner,
Registered
Patent
Attorney

50 W
BROADV
SUITE 1C
SALT LAKE
CITY, UT
84101

OFFICE:
801.994.
DIRECT:
801.939.

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From
:
James
W
.
McConkie
<
[jmccconkie
@
wnlaw
.
com](mailto:jmccconkie@wnlaw.com)
>

Sent
:
Friday
,
May
21
,
2021

11
:
15
AM

To
:
Scott
Hilton
<

scott

·
hilton

@
kba

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law
>

Cc
:

scourdy
@
wnlaw
.
com

Subject
:
RE
:
Thread
Wallets
,
LLC
Letter
(
our

Scott
,

Attached
is
a
letter
listing
some
of
the
additional
info
you
asked
for
in
your
recent
correspondence
.

Let
me
know
if
you

are
available
for
a
call
next
week
on
Wednesday
morning
.

I
think
a
call
to
discuss
how
the
parties
can
resolve
their
differences

would
be
helpful
at
this
point
.

Best
,

James
W
.
McConkie
III

WORKMAN

NYDEGGER

60
East
South
Temple
,

Suite
1000

Salt
Lake
City
,
Utah
84111

Office
-
Direct
:
(
801
)
321
-
8841

Email

jmconkie
@

wnlaw

.com

*This
email
may
contain
material
that
is
confidential*

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privileged
and
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*or
attorney
work
product
for
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sole
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recipient*

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Any
unauthorized
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prohibited
and
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be
unlawful*

From
:
Scott
Hilton
<

scott

;
hilton

@
kba

;
law
>

Sent
:
Tuesday
,
May
4
,
2021
6
:
50
PM

To
:
James
W
.
McConkie
<

JMcConkie

@
WNLaw
:
com
>

Subject
:
Thread
Wallets
,
LLC
Letter
(
our

Hi
James

.

We
received
your
letter
to
Brixley
Bags
regarding
Thread
Wallets
,
pending
design
patent
applications
.
Please
see
the
attached
letter
in
reply
,
requesting
clarification

of
the
scope
of
your
client
,
s
rights
,
so
we
can
at
least
preliminarily
assess
the
merits
of
the
allegations
.

Best
Regards

Scott

<image001.png>

SCOTT C
HILTON

Partner,
Registered
Patent
Attorney

50 W
BROADV
SUITE 10
SALT LAKE
CITY, UT
84101

OFFICE:
801.994.
DIRECT:
801.939.

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PRIVACY
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mail
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BRIXLEY_007753

contain
information
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confidential

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If
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PRIVACY
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BRIXLEY_007755

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or
disclose
to
anyone
any
of
the
contents
hereof
.

From: KBA <scott.hilton@kba.law>
To: "Ethan O'Connell" <ethano1114@gmail.com>
Date: 8/3/2021 2:34:15 PM
Subject: Re: Thread Wallets, LLC Letter (our

He should be back, but I haven't heard from him yet. I let him know how urgent this is, hopefully we'll hear soon.

If you need to make an order, you can decide to go ahead (they may be upset, but you've tried to cooperate and your new design most likely doesn't infringe).

Thanks,

Scott



SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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On Aug 3, 2021, 9:04 AM -0700, Ethan O'Connell <ethano1114@gmail.com>, wrote:

Hey Scott,

I just wanted to follow up and see if their attorney made it back from the convention.

Thank you,

Ethan

On Fri, Jul 30, 2021 at 10:17 AM Ethan O'Connell <ethano1114@gmail.com> wrote:

Thanks Scott!

Ethan

On Jul 29, 2021, at 3:30 PM, Scott Hilton <scott.hilton@kba.law> wrote:

Quick update, their attorney is at a legal convention this week, so I'm not sure when he'll be able to get back to me – hopefully it will still be soon, but if not, we may have to wait until next week.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON

Partner, Registered Patent Attorney

50 W BROADWAY, SUITE 1000

SALT LAKE CITY, UTAH 84101

OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Scott Hilton
Sent: Thursday, July 29, 2021 2:51 PM
To: Ethan O'Connell <ethano1114@gmail.com>
Subject: RE: Thread Wallets, LLC Letter (our

Hi Ethan. Yes, I reached out last week and explained our position, and on Monday they said they'd "get back to us promptly" but I haven't heard anything yet. I'll check in again now and see when we can expect to hear back.

BRIXLEY_007758

Thanks,

Scott

<image001.png>

SCOTT C. HILTON

Partner, Registered Patent Attorney

50 W BROADWAY, SUITE 1000

SALT LAKE CITY, UTAH 84101

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From: Ethan O'Connell <ethano1114@gmail.com>

Sent: Thursday, July 29, 2021 2:01 PM

To: Scott Hilton <scott.hilton@kba.law>

Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Just want to check back in and see if we can put an order in for our new Crossbody

bags. Were you able to talk with them a little more. Let me know.

Thank you,

Ethan

On Jul 22, 2021, at 3:24 PM, Scott Hilton <scott.hilton@kba.law> wrote:

Hi Ethan, thanks for letting me know on the timing. We'll do our best to resolve this ASAP.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON

Partner, Registered Patent Attorney

50 W BROADWAY, SUITE 1000

SALT LAKE CITY, UTAH 84101

OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Thursday, July 22, 2021 1:35 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Scott,

We are now out of cross body inventory. Because of the discussions, which have been ongoing with thread wallet. We are in a position where this is affecting our sales and revenue negatively. We would like to place our new order no later than next Friday. can we work to that goal.

Thank you,

Ethan

On Jul 20, 2021, at 4:17 PM, Scott Hilton
<scott.hilton@kba.law> wrote:

Thanks Ethan, sounds like a plan. We'll push for that and I'll let you know how it goes.

<image001.png>

SCOTT C. HILTON

Partner, Registered Patent Attorney

50 W BROADWAY, SUITE 1000

SALT LAKE CITY, UTAH 84101

OFFICE: 801.994.4646 DIRECT: 801.939.3691

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BRIXLEY_007762

From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Tuesday, July 20, 2021 12:41 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Let's see if we can use what we currently newly developed. If that doesn't work we can speak with our manufacturer about possibly changing the shape of the ring. Let me know if you think that would work. And what they say.

Thank you,

Ethan

Sent from my iPhone

On Jul 20, 2021, at 11:17 AM, Scott Hilton
<scott.hilton@kba.law> wrote:

Thanks Ethan. That Adidas bag doesn't really help our argument, since it's the placement of the D-rings that they have the problem with (not the use of D-rings themselves – that part was my counter to allow you to leave the rings in the same places). If you'd rather not change the location of the D-rings, we can counter that the other design changes are enough, which they may or may not agree with.

What if you only move the bottom to D-rings to the side (we can argue that moving the top two would place them in the way of the belt loops), would something like that work?

Thanks,

Scott

<image001.png>

SCOTT C. HILTON

Partner, Registered Patent
Attorney

50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101

OFFICE: 801.994.4646 DIRECT:
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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Tuesday, July 20, 2021 10:50 AM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Thank you for speaking with them. I feel like we are in a good spot. I wanted to point out to you that other crossbodys on the market also use the D ring.

I will attach Adidas crossbody, there are several more that use it. It's is very common and widely used with crossbodys across the industry. Can you suggest to them that since we are using 4 rings now, it will be a nice compromise. We are trying to establish a different look.

<https://www.tillys.com/product/adidas-originals-festival-crossbody-bag/384906100.html>

Thank you,

Ethan

On Jul 20, 2021, at 10:25 AM, Scott Hilton <scott.hilton@kba.law> wrote:

Hi Ethan. I was able to speak to their attorneys this morning. They wanted me to tell you how much they appreciate the way Brixley has handled this so far.

They think the new design is mostly acceptable, and checks most of the boxes, but wanted you to consider moving the D-rings from the top/bottom shorter sides, to the left/right longer

sides (since the D-ring placement is still the same). I pointed out that you now have 4 rings, which they said was helpful, but they still wanted you to consider that last change (they liked the other changes, including the belt loops, the logo movement, and the slightly higher zipper).

If moving the placement of the D-rings to the sides isn't acceptable for you, I asked about using rings of a different shape (rectangle, triangle, circle, etc.) and they thought that might be a compromise that would work as well.

Let me know what you think, or if you have a counter proposal. We're getting close on this.

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON

Partner,
Registered Patent
Attorney

50 W BROADWAY,
SUITE 1000
SALT LAKE CITY,
UTAH 84101

OFFICE:
801.994.4646
DIRECT:
801.939.3691

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From: Ethan O'Connell
<ethano1114@gmail.com>
Sent: Wednesday, July 14, 2021 4:11 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter
(our

This is fantastic! Let me know how it goes. we want to put in an order with manufacture soon. If they are okay with our changes, we would love to file a design patent with you.

Thank you,

Ethan

On Jul 14, 2021, at 10:36 AM,
Scott Hilton
<scott.hilton@kba.law>
wrote:

Quick update, I'll be discussing this with their attorney next Tuesday morning (so far so good).

Thanks,

Scott

<20B75231325845249A31CFF92800EC8D.png>

SCOTT C.
HILTON

Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

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On Jul 7, 2021, 8:18 AM
-0600, Ethan O'Connell
<ethano1114@gmail.com>,
wrote:

Thank you!!

Ethan

On Jul 6, 2021,
at 2:51 PM,
Scott Hilton
<scott.hilton@kba.law>
wrote:

Hey Ethan. I

haven't heard
back yet, I'll
check with
them and see
where they're
at on this and
let you know.

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON

Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
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prohibited.

From: Ethan
O'Connell
<ethano1114@gmail.com>
Sent: Tuesday,
July 6, 2021
8:17 AM
To: Scott
Hilton
<scott.hilton@kba.law>
Subject: Re:
Thread Wallets,
LLC Letter (our

Hey Scott,

I hope you had
a great 4th of
July weekend. I
just wanted to
touch base
with you and
see if you were
able to get a
response back
from their
attorney,
regarding our
new design for
the crossbody.

Thank you,

Ethan
O'Connell

On Wed, Jun
23, 2021 at
6:44 PM Scott
Hilton
<[scott.hilton@
kba.law](mailto:scott.hilton@kba.law)>
wrote:

Sounds
good Ethan,
we'll move
forward and
let you know
how it goes.

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON

Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101
OFFICE:
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From: Ethan
O'Connell
<ethano1114@gmail.com>

m>

Sent:

Wednesday,

June 23,

2021 6:38

PM

To: Scott

Hilton

<[scott.hilton](mailto:scott.hilton@kba.law)

[@kba.law](mailto:scott.hilton@kba.law)>

Subject: Re:

Thread

Wallets, LLC

Letter (our

Hey Scott,

In regards of
filing a
design
patent, let's
just go
ahead and
show them
the new
design. Like

you said we
can just
make it
confidential.
I think that it
is smart to
share our
new design
and once we
fully develop
the new
product, we
would love
to final for a
design
patent with
you.

Let me know
what they
say!

Thank you,

Ethan

Sent from
my iPhone

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SCOTT C.
HILTON

Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
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SALT LAKE
CITY, UTAH
84101

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Thanks

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Scott

<image001.png>

SCOTT C.
HILTON

Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

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From

:

Ethan
O'Connell

<

ethano1114

@

gmail

:

com

>

Sent

:

Tuesday

,

June

22

,

2021
11
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06
AM

To
:
Scott
Hilton
<

scott
:
hilton
@
kba
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law
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Subject
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Re
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Thread
Wallets

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LLC
Letter
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Hey
Scott
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I
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Thank
you

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Ethan

On
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AM

Ethan

O'Connell

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ethano1114

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gmail

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com

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wrote

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Hey
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This
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SCOTT C.
HILTON

Partner,
Registered
Patent
Attorney

50 W
BROADWAY
SUITE 1000
SALT LAKE
CITY, UTAH
84101

OFFICE:
801.994.464
DIRECT:
801.939.369

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From
:
Ethan
O'Connell
<

[ethano1114](mailto:ethano1114@gmail.com)
[@](mailto:ethano1114@gmail.com)
[gmail](mailto:ethano1114@gmail.com)
[.com](mailto:ethano1114@gmail.com)
>

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To
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Hilton
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scott
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@

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Subject

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Thread

Wallets

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LLC

Letter

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Hey

Scott

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OFFICE:
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From

:

James

W

.

McConkie

<

[jmccconkie](#)

@
wnlaw
.
com
>

Sent
:
Tuesday
,
June
15
,
2021
5
:
05
PM

To
:
Scott
Hilton

BRIXLEY_007850

<

scott

·
hilton

@
kba

·
law

>

Cc

:

scourdy

@
wnlaw

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com

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Lauren
Swenson

<

lswenson

@

kba

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law

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srupp

@

wnlaw

.

com

Subject

:

RE

:

Thread

Wallets

,

LLC

Letter

(

our

Scott

,

I

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ve
had
a
chance
to
discuss
some
proposed
changes
to
the
next
generation
of
the
Brixley
Crossbody
Bag

with
my
client
,
Thread
Wallets
LLC
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The
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client
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their
bags
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We
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or
by
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terms
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by
your
client
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I
look
forward
to
hearing
from
you
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Best
,

James

Proposed
changes
:

- Move
/
remove
the
d
-
rings
from
the
back
of
the
bag
in
favor

- of different shaped rings and a different attachment point for the rings

- Move the Brixley logo / tag to a location different than the

- location used by Thread . For example , the front branded logo tag should be removed from the bottom right corner and the back branded

- logo tag needs to be removed from the center on the back of the bag .

- Adjust the front zipper placement up or change

- the orientation of the zipper so as to make it different than the placement or orientation used by Thread .

image002

.
png
>

<
image003

.
png
>

James
W

.
McConkie
III

WORKMAN

NYDEGGER

60
East
South
Temple
,

Suite
1000

Salt
Lake
City
,
Utah
84111

Office
-
Direct
:
(
801
)
321
-
8841

Email

jmccconkie
@
wnlaw
.
com

*This
email
may
contain
material
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confidential
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privileged
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attorney
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product
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*Any
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may
be
unlawful

.

From

:

Scott
Hilton

<

scott

:

hilton

@

kba

:
law

>

Sent

:
Friday

,
May
21

,
2021
11

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52
AM

To
:
James
W

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McConkie

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JMcConkie

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com

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Iswenson

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kba

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law

Subject

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RE

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Thread

Wallets

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LLC

Letter

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our

Thank
you

James

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very

helpful

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I

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AM

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morning
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Best
,

Scott

<image001.png>

SCOTT
HILTON

Partne
Regist
Patent
Attorn

50 W
BROAD
SUITE
SALT L
CITY, U
84101
OFFICE:
801.99
DIRECT:
801.93

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BRXLEY_007873

From
:
James
W
.
McConkie
<
[jmccconkie
@
wnlaw
:
com](mailto:jmccconkie@wnlaw.com)
>

Sent
:

Friday

,
May
21

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2021
11

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15
AM

To
:
Scott
Hilton
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scott

:
hilton

@
kba

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law

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Cc

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scourdy

@

wnlaw

:

com

Subject

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RE

:

Thread

Wallets

,

LLC

Letter

(

our

Scott

,

Attached
is
a
letter
listing
some
of
the
additional
info
you
asked
for
in
your
recent
correspondence

.

Let
me
know
if
you
are
available
for
a
call
next
week
on
Wednesday
morning

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I
think
a
call
to
discuss
how
the

parties
can
resolve
their
differences
would
be
helpful
at
this
point
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Best
,

James
W
.
McConkie
III

WORKMAN

NYDEGGER

60
East
South
Temple

Suite
1000

Salt
Lake
City

Utah
84111

Office

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Direct

:
(
801

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321

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Email

jmccconkie
@
wnlaw
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com

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From
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scott
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Sent

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Tuesday

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May
4

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2021
6

:
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PM

To
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James
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McConkie

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JMcConkie

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WNLaw

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com

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Subject

:

Thread

Wallets

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LLC

Letter

(

our

Hi

James

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We
received
your
letter
to
Brixley
Bags
regarding
Thread
Wallets
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patent
applications

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allegations
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Best
Regards

Scott

<image001.png>

SCOTT
HILTON

Partner
Registered
Patent
Attorney

50 W
BROAD
SUITE
SALT L
CITY, U
84101
OFFICE:
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DIRECT:
801.93

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From: "Ethan O'Connell" <ethano1114@gmail.com>
To: "Scott Hilton" <scott.hilton@kba.law>
Date: 8/3/2021 2:41:17 PM
Subject: Re: Thread Wallets, LLC Letter (our

Thank you! Do you think we can file for a design patent? How long does it usually take to get approved?

Ethan

On Tue, Aug 3, 2021 at 2:34 PM Scott Hilton <scott.hilton@kba.law> wrote:

He should be back, but I haven't heard from him yet. I let him know how urgent this is, hopefully we'll hear soon.

If you need to make an order, you can decide to go ahead (they may be upset, but you've tried to cooperate and your new design most likely doesn't infringe).

Thanks,

Scott



SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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On Aug 3, 2021, 9:04 AM -0700, Ethan O'Connell <ethano1114@gmail.com>, wrote:

Hey Scott,

I just wanted to follow up and see if their attorney made it back from the convention.

Thank you,

Ethan

On Fri, Jul 30, 2021 at 10:17 AM Ethan O'Connell <ethano1114@gmail.com> wrote:

Thanks Scott!

Ethan

On Jul 29, 2021, at 3:30 PM, Scott Hilton <scott.hilton@kba.law> wrote:

Quick update, their attorney is at a legal convention this week, so I'm not sure when he'll be able to get back to me – hopefully it will still be soon, but if not, we may have to wait until next week.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON

Partner, Registered Patent Attorney

50 W BROADWAY, SUITE 1000

SALT LAKE CITY, UTAH 84101

OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Scott Hilton
Sent: Thursday, July 29, 2021 2:51 PM
To: Ethan O'Connell <ethano1114@gmail.com>
Subject: RE: Thread Wallets, LLC Letter (our

BRIXLEY_007894

Hi Ethan. Yes, I reached out last week and explained our position, and on Monday they said they'd "get back to us promptly" but I haven't heard anything yet. I'll check in again now and see when we can expect to hear back.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON

Partner, Registered Patent Attorney

50 W BROADWAY, SUITE 1000

SALT LAKE CITY, UTAH 84101

OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>

Sent: Thursday, July 29, 2021 2:01 PM

To: Scott Hilton <scott.hilton@kba.law>

Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Just want to check back in and see if we can put an order in for our new Crossbody bags. Were you able to talk with them a little more. Let me know.

Thank you,

Ethan

On Jul 22, 2021, at 3:24 PM, Scott Hilton <scott.hilton@kba.law> wrote:

Hi Ethan, thanks for letting me know on the timing. We'll do our best to resolve this ASAP.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON

Partner, Registered Patent Attorney

50 W BROADWAY, SUITE 1000

SALT LAKE CITY, UTAH 84101

OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Thursday, July 22, 2021 1:35 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Scott,

We are now out of cross body inventory. Because of the discussions, which have been ongoing with thread wallet. We are in a position where this is affecting our sales and revenue negatively. We would like to place our new order no later than next Friday. can we work to that goal.

Thank you,

Ethan

On Jul 20, 2021, at 4:17 PM, Scott Hilton
<scott.hilton@kba.law> wrote:

Thanks Ethan, sounds like a plan. We'll push for that and I'll let you know how it goes.

<image001.png>

SCOTT C. HILTON

Partner, Registered Patent Attorney

50 W BROADWAY, SUITE 1000

SALT LAKE CITY, UTAH 84101

OFFICE: 801.994.4646 DIRECT: 801.939.3691

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BRIXLEY_007898

From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Tuesday, July 20, 2021 12:41 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Let's see if we can use what we currently newly developed. If that doesn't work we can speak with our manufacturer about possibly changing the shape of the ring. Let me know if you think that would work. And what they say.

Thank you,

Ethan

Sent from my iPhone

On Jul 20, 2021, at 11:17 AM, Scott Hilton
<scott.hilton@kba.law> wrote:

Thanks Ethan. That Adidas bag doesn't really help our argument, since it's the placement of the D-rings that they have the problem with (not the use of D-rings themselves – that part was my counter to allow you to leave the rings in the same places). If you'd rather not change the location of the D-rings, we can counter that the other design changes are enough, which they may or may not agree with.

What if you only move the bottom to D-rings to the side (we can argue that moving the top two would place them in the way of the belt loops), would something like that work?

Thanks,

Scott

<image001.png>

SCOTT C. HILTON

Partner, Registered Patent
Attorney

50 W BROADWAY, SUITE
1000
SALT LAKE CITY, UTAH
84101

OFFICE: 801.994.4646 DIRECT:
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From: Ethan O'Connell
<ethano1114@gmail.com>
Sent: Tuesday, July 20, 2021 10:50 AM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Thank you for speaking with them. I feel like we are in a good spot. I wanted to point out to you that other crossbodys on the market also use the D ring. I will attach Adidas crossbody, there are several more that use it. It's is very common and widely used with crossbodys across the industry. Can you suggest to them that since we are using

4 rings now, it will be a nice compromise. We are trying to establish a different look.

<https://www.tillys.com/product/adidas-originals-festival-crossbody-bag/384906100.html>

Thank you,

Ethan

On Jul 20, 2021, at 10:25 AM, Scott Hilton <scott.hilton@kba.law> wrote:

Hi Ethan. I was able to speak to their attorneys this morning. They wanted me to tell you how much they appreciate the way Brixley has handled this so far.

They think the new design is mostly acceptable, and checks most of the boxes, but wanted you to consider moving the D-rings from the top /bottom shorter sides, to the left/right longer sides (since the D-ring placement is still the same). I pointed out that you now have 4 rings, which

they said was helpful, but they still wanted you to consider that last change (they liked the other changes, including the belt loops, the logo movement, and the slightly higher zipper).

If moving the placement of the D-rings to the sides isn't acceptable for you, I asked about using rings of a different shape (rectangle, triangle, circle, etc.) and they thought that might be a compromise that would work as well.

Let me know what you think, or if you have a counter proposal. We're getting close on this.

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON

Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101
OFFICE:
801.994.4646
DIRECT:
801.939.3691

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From: Ethan O'Connell
<ethano1114@gmail.com>
Sent: Wednesday, July 14, 2021 4:11 PM
To: Scott Hilton
<scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC

Letter (our

This is fantastic! Let me know how it goes. we want to put in an order with manufacture soon. If they are okay with our changes, we would love to file a design patent with you.

Thank you,

Ethan

On Jul 14, 2021, at 10:36 AM, Scott Hilton
<scott.hilton@kba.law>
wrote:

Quick update, I'll be discussing this with their

attorney next Tuesday
morning (so far so good).

Thanks,

Scott

<20B75231325845249A31CFF92800EC8D.png>

SCOTT C
HILTON

Partner,
Registered
Patent
Attorney

50 W
BROADWAY
SUITE 100
SALT LAKE
CITY, UTAH
84101

OFFICE:
801.994.4600
DIRECT:
801.939.3600

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On Jul 7, 2021, 8:18 AM
-0600, Ethan O'Connell
<ethano1114@gmail.com
>, wrote:

Thank you!!

Ethan

On Jul 6,
2021, at
2:51 PM,
Scott Hilton
<scott.hilton@kba.law>
wrote:

Hey Ethan. I
haven't
heard back
yet, I'll
check with
them and
see where
they're at
on this and
let you
know.

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON

Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

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801.994.4646
DIRECT:
801.939.3691

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From: Ethan
O'Connell
<ethano1114@gmail.com>
Sent:
Tuesday,
July 6, 2021
8:17 AM
To: Scott
Hilton
<scott.hilton@kba.law>
Subject: Re:
Thread
Wallets, LLC
Letter (our

Hey Scott,

I hope you
had a great
4th of July
weekend. I
just
wanted to
touch base

with
you and see
if you were
able to get
a
response ba
ck from
their
attorney,
regarding
our new
design for
the
crossbody.

Thank you,

Ethan
O'Connell

On Wed,
Jun 23, 2021

at 6:44 PM
Scott Hilton
<scott.hilton@kba.law>
wrote:

Sounds
good
Ethan,
we'll
move
forward
and let
you know
how it
goes.

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON

Partner,
Registered
Patent
Attorney

BRIXLEY_007912

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101
OFFICE:
801.994.4646
DIRECT:
801.939.3691

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From:
Ethan

O'Connell
<ethano1114@gmail.com>

Sent:

Wednesd

ay, June

23, 2021

6:38 PM

To: Scott

Hilton

<scott.hilton@kba.law>

scott.hilton@kba.law

aw>

Subject:

Re:

Thread

Wallets,

LLC Letter

(our

Hey Scott,

In regards
of filing a
design

patent,
let's just
go ahead
and show
them the
new
design.
Like you
said we
can just
make it
confidenti
al. I think
that it is
smart to
share our
new
design
and once
we fully
develop
the new
product,
we would
love to
final for a
design
patent
with you.

Let me
know
what they
say!

Thank
you,

Ethan

Sent from
my
iPhone

On
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Scott

Hilton

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Thanks

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Scott

SCOTT C.
HILTON

Partner,
Registered
Patent
Attorney

<image001.png>
50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101
OFFICE:
801.994.4646
DIRECT:
801.939.3691

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From

:

Ethan
O'Connell

<

ethano1114

@

gmail

:

com

>

Sent

:

Tuesday

,

June

22

,

2021

6

:

37

PM

To

:

Scott

Hilton

<

scott

:

hilton

@

kba

:

law

>

Subject

:

Re

:

Thread

Wallets

,

LLC

Letter

(

our

Thanks

for

the

quick

response

.

I

think

if

we

can

use

the

new
design
that
would
be
best
for
us

.
Do
you
think
we
would
have
to
file
a
design
patent
before
we
show
them
?

Just
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t
want
to

run
into
any
more
issues
between
both
of
us

.

Let

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s

show
these
pictures
to
their
attorneys
and
we
can
go
from
there

.

Let
me
know
what
they
say
:)

Thank
you
,

Ethan

Sent
from
my
iPhone

On
Jun
22
,

2021

,

at

4

:

29

PM

,

Scott

Hilton

<

scott

,

hilton

@

kba

,

law

>

wrote

:

Hi
Ethan
.
thanks
for
following
up
.

The
pictures
were
helpful
.
and
the
new
design
does
look
quite
a
bit
different
than
theirs
.
The

items
they
might
still
have
issues
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and
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have
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will
help
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the
front
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If
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other
changes
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images
with
their
attorney
with
the
explanation
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was
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redesign
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already
been
working
on
before

receiving
their
suggestions

,
and
ask
if
those
changes
are
acceptable
to
Thread
Wallets
.

Let
me
know
what
you
think
–
if
using
circular
or
rectangular

rings
or
moving
the
front
zipper
further
toward
the
top
of
the
bag
are
options

,

I
think
you

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ve
got
a
slam
dunk

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but
if
you

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d
rather
not
make
those
changes
I
think
there
,

s
a
good
chance
they
,

ll
accept
this
new
design
as
is
.

Thanks
,

Scott

<image001.png>

SCOTT C.
HILTON

Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

OFFICE:
801.994.4646
DIRECT:
801.939.3691

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From

:

Ethan

O'Connell

<

[ethano1114](mailto:ethano1114@gmail.com)

[@](mailto:ethano1114@gmail.com)

[gmail](mailto:ethano1114@gmail.com)

:

[com](mailto:ethano1114@gmail.com)

>

Sent

:

Tuesday

,

June

BRIXLEY_007940

22

,
2021

11

:

06

AM

To

:

Scott
Hilton

<

scott

:

hilton

@

kba

:

law

>

Subject

:

Re

:

Thread
Wallets
,
LLC
Letter
(
our

Hey
Scott
,

I
just
wanted
to
reach
out
and
see
if
you
had

a
chance
to
look
at
the
pictures
that
I
have

attached
in
the
earlier
email

.
If
you
need
to
see
more
pictures
let
me
know

Thank
you
,

Ethan

On
Thu
,
Jun
17
,
2021
at
8

:
30
AM
Ethan
O'Connell
<

ethano1114
@
gmail

:
com
>
wrote
:

Hey
Scott
,

This
was
just
a
sample

that
when
have
designed
the
with
our
manufacturer

.
We
have
add
a
few
things
as
I
mentioned
in
our
earlier
email

.
Let
me
know
if

you
think
we
should
or
need
to
change
some
other
aspects
of
our
crossbody

.

Thank
you

,

Ethan

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image003
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image004
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On

Jun
16
,
2021
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at
10
:
42
AM
,
Scott
Hilton
<

scott
:
hilton
@
kba
:
law
>
wrote
:

Thanks
Ethan

.
Pictures
would
be
great

,
please
send
them
over

.
They
,

re
asking
for
a
few
more
changes
than
that

,

but
let
,
s
take
a
look
and
we
can
make
a
counter
proposal
if
we
think
it
looks
different
enough
.

<image001.png>

SCOTT C
HILTON

Partner,
Registered
Patent
Attorney

50 W
BROADWAY
SUITE 10
SALT LAKE
CITY, UT
84101

OFFICE:
801.994.4
DIRECT:
801.939.1

This e-mail message is intended only for the recipient immediately if you are not an intended recipient or prohibited.

From

:

Ethan

O'Connell

<

ethano1114

@

gmail

:

com

>

Sent
:
Tuesday
,
June
15
,
2021
10
:
39
PM

To
:
Scott
Hilton
<

scott
:
hilton
@
kba

:

law

>

Subject

:

Re

:

Thread

Wallets

,

LLC

Letter

(

our

Hey

Scott

,

Thank
you
for
letting
me
know
this
.
We
have
changed
a
few
things
on
the
bag
,
which
include
different
placement
of
logo
,
added
one

more
d
-
ring
.
We
also
added
a
functionality
to
make
it
a
fanny
pack
.
This
has
moved
the
pocket
on
the
back

lower

.

Do
you
think
this
is
enough
?

I

can
also
send
you
some
pictures
if
that
would
help

.

Let
me
know
what
is
best
for
you
,

Ethan

Sent
from
my
iPhone

On
Jun

15

,
2021

,
at
7

:
34
PM

,
Scott
Hilton
<

scott

,
hilton
@
kba

,
law

>
wrote

:

Hi
Ethan
.
The
Thread
Wallets
attorney
got
back
to
me
today
on
their
suggestions
,
and
they
,
re
along
the
lines
of

what
we
guessed
(
shape
/
location
of
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location
of
tag
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placement
of
front
zipper
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We
can
discuss
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but
let
me
know
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any
of
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items
are
deal
breakers
and
we
can
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location
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functionality
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Thanks
,

Scott

<image001.png>

SCC
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Att

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OFFI
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DIRE
801

This e-mail message is intended only for th
immediately if you are not an intended rec
prohibited.

From

:

James

W

.

McConkie

<

[jmccconkie](#)

[@](#)

[wnlaw](#)

:

[com](#)

>

Sent

:

Tuesday

,

June

15

,

2021

5

:

05

PM

To

:

Scott

Hilton

<

scott

:

hilton

@

kba

:

law

>

Cc

:

scourdy

@

wnlaw

:

com

;

Lauren

Swenson

<

lswenson

@

kba

:

law

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srupp

@

wnlaw

.com

Subject

:

RE

:

Thread

Wallets

,

LLC

Letter

(

our

Scott

,

I

,

ve

had

a

chance

to

discuss

some

proposed

changes

to

the

next

generation

of

the

Brixley

Crossbody

Bag

with

my

client

,
Thread
Wallets
LLC

The
idea
is
that
if
your
client
is
willing
to
sell
off
its
existing
bags
and
make
the

changes
suggested
on
or
in
connection
with
any
future
crossbody
bag

,
the
parties
can
respectively
move
forward
marketing

,
selling
and
otherwise
using
their

bags

.

We
are
open
to
memorializing
the
same
in
a
written
agreement
or
by
way
of
a
less
formal
letter
agreement
listing
the

above
terms
and
signed
/
acknowledged
by
your
client

.

I
look
forward
to
hearing
from
you

.

Best

,

James

Proposed
changes
:

- Move
/
remove
the
d
-
rings
from
the
back
of
the
bag
in
favor
of

BRIXLEY_007975

- different shaped rings and a different attachment point for the rings

- Move the Brixley logo / tag to a location different than the location

- used
by
Thread
.
For
example
,
the
front
branded
logo
tag
should
be
removed
from
the
bottom
right
corner
and
the
back
branded
logo

- tag
needs
to
be
removed
from
the
center
on
the
back
of
the
bag
.

- Adjust
the
front
zipper
placement
up
or
change
the

- orientation of the zipper so as to make it different than the placement or orientation used by Thread .

.
png
>

<
image003

.
png
>

James
W

.
McConkie
III

WORKMAN

NYDEGGER

BRIXLEY_007980

60
East
South
Temple
,

Suite
1000

Salt
Lake
City
,
Utah
84111

Office
-
Direct
:
(
801
)
321
-
8841

Email

jmconkie

@
wnlaw
.
com

*This
email
may
contain
material
that
is
confidential*

*,
privileged
and
/*

*or
attorney
work
product*

*for
the
sole
use
of
the
intended
recipient*

*.
Any
unauthorized
review*

'
use
'
or
distribution
is
prohibited
and
may
be
unlawful
'

From
:
Scott
Hilton
<

scott
:
hilton
@
kba

:

law

>

Sent

:

Friday

,

May

21

,

2021

11

:

52

AM

To

:

James

W

.

McConkie

<

JMcConkie

@

WNLaw

:

com

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Cc

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Shellie

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Courdy

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SCourdy

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WNLaw

:

com

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lswenson

@
kba
:
law

Subject

:
RE
:
Thread
Wallets
,
LLC
Letter
(
our

Thank
you
James
,

that
,
s
very
helpful
.

I
,
m
available
for
a
call
any
time
after
9
:
30
AM
next
Wednesday

to
discuss
,
please
feel
free
to
call
my
direct
number
(
801
-
939
-
3691
)
if
there
,
s
a
time
that

works
for
you
that
morning
.

Best

,

Scott

<image001.png>

SCC
HIL

Par
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801

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immediately if you are not an intended rec
prohibited.

BRIXLEY_007990

From

:

James

W

.

McConkie

<

[jmccconkie](#)

[@](#)

[wnlaw](#)

.

[com](#)

>

Sent

:

Friday

,

May

21

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2021
11
:
15
AM

To
:
Scott
Hilton
<

scott
:
hilton
@
kba
:
law
>

Cc

BRIXLEY_007992

:

scourdy
@
wnlaw
.
com

Subject

:

RE

:

Thread
Wallets

,

LLC

Letter

(

our

Scott

BRIXLEY_007993

Attached
is
a
letter
listing
some
of
the
additional
info
you
asked
for
in
your
recent
correspondence

Let
me

know
if
you
are
available
for
a
call
next
week
on
Wednesday
morning
.

I
think
a
call
to
discuss
how
the
parties
can

resolve
their
differences
would
be
helpful
at
this
point
.

Best
,

James
W
.
McConkie
III

WORKMAN

BRIXLEY_007996

NYDEGGER

60
East
South
Temple

Suite
1000

Salt
Lake
City
,
Utah
84111

Office
-
Direct
:
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801
)
321
-
8841

Email

jmccconkie
@
wnlaw
.
com

*This
email
may
contain
material
that
is
confidential
,
privileged
and
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or
attorney
work
product
for
the
sole
use
of
the
intended
recipient
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*Any
unauthorized
review*

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use*

*,
or
distribution
is
prohibited
and
may
be
unlawful*

From

:
Scott
Hilton
<

scott

:
hilton
@

kba

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law
>

Sent
:
Tuesday
,
May
4
,
2021
6
:
50
PM

To
:
James
W

.

McConkie

<

JMcConkie

@

WNLaw

:

com

>

Subject

:

Thread

Wallets

,

LLC

Letter

(

our

Hi

James

.

We
received
your
letter
to
Brixley
Bags
regarding
Thread
Wallets
,

pending
design
patent
applications
.

Please
see
the
attached

letter
in
reply
,
requesting
clarification
of
the
scope
of
your
client
,
s
rights
,
so
we
can
at
least
preliminarily
assess
the
merits

of
the
allegations
.

Best
Regards

Scott

<image001.png>

SCC
HIL

Par
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Pat
Att

50
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841
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801

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prohibited.

PRIVACY
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This
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mail
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confidential
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If
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notify
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PRIVACY

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If
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immediately
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and
do
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use
,
copy
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or
disclose
to
anyone
any
of
the
contents
hereof

BRIXLEY_008008

From: "Scott Hilton" <scott.hilton@kba.law>
To: "Ethan O'Connell" <ethano1114@gmail.com>
Date: 8/4/2021 6:51:42 PM
Subject: RE: Thread Wallets, LLC Letter (our

Hi Ethan. For sure, we can file a design patent application. We'll probably want to wait until we're sure the design is final, but as soon as that's the case we can prepare and file. We usually hear back from the USPTO between 6 months and a year from filing.

Thanks,

Scott



SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Tuesday, August 3, 2021 2:41 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Thank you! Do you think we can file for a design patent? How long does it usually take to get approved?

Ethan

On Tue, Aug 3, 2021 at 2:34 PM Scott Hilton <scott.hilton@kba.law> wrote:

He should be back, but I haven't heard from him yet. I let him know how urgent this is, hopefully we'll hear soon.

If you need to make an order, you can decide to go ahead (they may be upset, but you've tried to cooperate and your new design most likely doesn't infringe).

Thanks,

Scott



SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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On Aug 3, 2021, 9:04 AM -0700, Ethan O'Connell <ethano1114@gmail.com>, wrote:

Hey Scott,

I just wanted to follow up and see if their attorney made it back from the convention.

Thank you,

Ethan

On Fri, Jul 30, 2021 at 10:17 AM Ethan O'Connell <ethano1114@gmail.com> wrote:

Thanks Scott!

Ethan

On Jul 29, 2021, at 3:30 PM, Scott Hilton <scott.hilton@kba.law> wrote:

Quick update, their attorney is at a legal convention this week, so I'm not sure when he'll be able to get back to me – hopefully it will still be soon, but if not, we may have to wait until next week.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Scott Hilton
Sent: Thursday, July 29, 2021 2:51 PM
To: Ethan O'Connell <ethano1114@gmail.com>
Subject: RE: Thread Wallets, LLC Letter (our

Hi Ethan. Yes, I reached out last week and explained our position, and on Monday they said they'd "get back to us promptly" but I haven't heard anything yet. I'll check in again now and see when we can expect to hear back.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Thursday, July 29, 2021 2:01 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Just want to check back in and see if we can put an order in for our new Crossbody bags. Were you able to talk with them a little more. Let me know.

Thank you,

Ethan

On Jul 22, 2021, at 3:24 PM, Scott Hilton <scott.hilton@kba.law> wrote:

Hi Ethan, thanks for letting me know on the timing. We'll do our best to resolve this ASAP.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>

Sent: Thursday, July 22, 2021 1:35 PM

To: Scott Hilton <scott.hilton@kba.law>

Subject: Re: Thread Wallets, LLC Letter (our

Scott,

We are now out of cross body inventory. Because of the discussions, which have been ongoing with thread wallet. We are in a position where this is affecting our sales and revenue negatively. We would like to place our new order no later than next Friday. can we work to that goal.

Thank you,

Ethan

On Jul 20, 2021, at 4:17 PM, Scott Hilton
<scott.hilton@kba.law> wrote:

Thanks Ethan, sounds like a plan. We'll push for that and I'll
let you know how it goes.

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT:
801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Tuesday, July 20, 2021 12:41 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Let's see if we can use what we currently newly developed.
If that doesn't work we can speak with our manufacturer
about possibly changing the shape of the ring. Let me
know if you think that would work. And what they say.

Thank you,

Ethan

Sent from my iPhone

On Jul 20, 2021, at 11:17 AM, Scott Hilton
<scott.hilton@kba.law> wrote:

Thanks Ethan. That Adidas bag doesn't really help our argument, since it's the placement of the D-rings that they have the problem with (not the use of D-rings themselves – that part was my counter to allow you to leave the rings in the same places). If you'd rather not change the location of the D-rings, we can counter that the other design changes are enough, which they may or may not agree with.

What if you only move the bottom to D-rings to the side (we can argue that moving the top two would place them in the way of the belt loops), would something like that work?

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered
Patent Attorney
50 W BROADWAY,
SUITE 1000
SALT LAKE CITY,
UTAH 84101
OFFICE: 801.994.4646
DIRECT: 801.939.3691

From: Ethan O'Connell
<ethano1114@gmail.com>
Sent: Tuesday, July 20, 2021 10:50 AM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Thank you for speaking with them. I feel like we are in a good spot. I wanted to point out to you that other crossbodys on the market also use the D ring. I will attach Adidas crossbody, there are several more that use it. It's is very common and widely used with crossbodys across the industry. Can you suggest to them that since we are using 4 rings now, it will be a nice compromise. We are trying to establish a different look.

<https://www.tillys.com/product/adidas-originals-festival-crossbody-bag/384906100.html>

Thank you,

Ethan

On Jul 20, 2021, at 10:25 AM,
Scott Hilton
<scott.hilton@kba.law> wrote:

Hi Ethan. I was able to speak to their attorneys this morning. They wanted me to tell you how much they appreciate the way Brixley has handled this so far.

They think the new design is mostly acceptable, and checks most of the boxes, but wanted you to consider moving the D-

rings from the top/bottom shorter sides, to the left/right longer sides (since the D-ring placement is still the same). I pointed out that you now have 4 rings, which they said was helpful, but they still wanted you to consider that last change (they liked the other changes, including the belt loops, the logo movement, and the slightly higher zipper).

If moving the placement of the D-rings to the sides isn't acceptable for you, I asked about using rings of a different shape (rectangle, triangle, circle, etc.) and they thought that might be a compromise that would work as well.

Let me know what you think, or if you have a counter proposal. We're getting close on this.

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney
50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

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801.994.4646
DIRECT:
801.939.3691

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From: Ethan O'Connell
<ethano1114@gmail.com>
Sent: Wednesday, July 14, 2021
4:11 PM
To: Scott Hilton
<scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC
Letter (our

This is fantastic! Let me know how it goes. we want to put in an order with manufacture soon. If they are okay with our changes, we would love to file a design patent with you.

Thank you,

Ethan

On Jul 14, 2021, at
10:36 AM, Scott
Hilton
<scott.hilton@kba.la
w> wrote:

Quick update, I'll be
discussing this with
their attorney next
Tuesday morning (so
far so good).

Thanks,

Scott

<20B75231325845249A31CFF92800EC8D.png>

SCOTT
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROAD
SUITE 1
SALT LAKE
CITY, UT
84101

OFFICE:
801.994
DIRECT:
801.939

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On Jul 7, 2021, 8:18

AM -0600, Ethan

O'Connell

<ethano1114@gmail.com>, wrote:

Thank you!!

Ethan

On
Jul 6,
2021,
at
2:51
PM,
Scott
Hilton
<scott.hilton@kba.law>
wrote
:

Hey
Ethan
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see
where
they're
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Than
ks,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

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From
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Ethan
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Sent:

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July 6,

2021

8:17

AM

To:

Scott

Hilton

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Letter

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Thank
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On
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at
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PM
Scott
Hilton
<scott.hilton@kba.law>
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SCOTT C.

HILTON

Partner,
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50 W
BROADWAY,
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CITY, UTAH
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Thanks

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Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

OFFICE:
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801.939.3691

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From

:

Ethan
O'Connell

<

[ethano1114](mailto:ethano1114@gmail.com)

[@](mailto:ethano1114@gmail.com)

[gmail](mailto:ethano1114@gmail.com)

.

[com](mailto:ethano1114@gmail.com)

>

Sent

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Tuesday

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June

22

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2021

6

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37

PM

To
:
Scott
Hilton
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scott
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hilton
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Subject
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Re
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Thread
Wallets
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LLC
Letter
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Thanks
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Thank
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Sent
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Thanks
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Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

OFFICE:
801.994.4646
DIRECT:
801.939.3691

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From
:
Ethan
O'Connell
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ethano1114
@
gmail
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com
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Sent
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BRIXLEY_008045

Tuesday

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June
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AM

To
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Scott
Hilton
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scott

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hilton
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kba

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law
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Subject

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Re
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Thread
Wallets

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LLC
Letter
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Hey
Scott

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If
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Thank
you

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Ethan

On
Thu

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Jun
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2021

at

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30

AM

Ethan

O'Connell

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ethano1114

@

gmail

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com

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wrote

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Hey
Scott

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We
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Let
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Thanks
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<image001.png>

SCOTT
HILTON
Partner
Regional
Partner
Attorney
50 W
BROAD
SUITE
SALT
CITY,
84101
OFFICE
801.555.1234
DIRECT
801.555.1234

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From

:

Ethan
O'Connell

<

[ethano1114](mailto:ethano1114@gmail.com)

[@](mailto:ethano1114@gmail.com)

[gmail](mailto:ethano1114@gmail.com)

:

[com](mailto:ethano1114@gmail.com)

>

Sent

:

Tuesday

,

June

15

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39

PM

To

:

Scott
Hilton

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scott

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hilton
@
kba

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law
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Subject

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Re

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Thread
Wallets

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LLC
Letter
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our

Hey
Scott

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Thank
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letting
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We
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Let

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Ethan

Sent

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On

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PM

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Scott

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Hi

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Thanks

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Scott

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From

:

James

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McConkie

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@

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com

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Sent

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Tuesday

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BRIXLEY_008060

June
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To
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Subject

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Best
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James

Proposed
changes
:

- Move
/
remove
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d
-
rings
from
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back

- of the bag in favor of different shaped rings and a different attachment point for the rings.

- Move the Brixley logo / tag to a location different than the location used by Thread.

For example,

the front branded

- logo tag should be removed from the bottom right corner and the back branded logo tag needs to be removed from the center on the back of the bag .
- Adjust the front zipper placement up or change the orientation

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James
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Suite
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City
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Utah
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Office

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Direct

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8841

Email

jmconkie

@

wnlaw

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From
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Sent
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To
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James
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Subject

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Thread

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Best

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Scott

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From
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James
W
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McConkie
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jmccconkie
@
wnlaw

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BRIXLEY_008074

com

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Sent

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Friday

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May

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To

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Subject

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Best

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James
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McConkie
BRIXLEY_008077

III

WORKMAN

NYDEGGER

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East
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Suite
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Office

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Email

jmccconkie

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Sent

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Tuesday

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To
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James
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Subject
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Thread
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Letter
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From: "Ethan O'Connell" <ethano1114@gmail.com>
To: "Scott Hilton" <scott.hilton@kba.law>
Date: 8/5/2021 8:06:40 AM
Subject: Re: Thread Wallets, LLC Letter (our

That would be great. We are getting our order put together right now with our manufacturer.

Thank you,

Ethan

On Aug 4, 2021, at 6:51 PM, Scott Hilton <scott.hilton@kba.law> wrote:

Hi Ethan. For sure, we can file a design patent application. We'll probably want to wait until we're sure the design is final, but as soon as that's the case we can prepare and file. We usually hear back from the USPTO between 6 months and a year from filing.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Tuesday, August 3, 2021 2:41 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Thank you! Do you think we can file for a design patent? How long does it usually take to get approved?

Ethan

On Tue, Aug 3, 2021 at 2:34 PM Scott Hilton <scott.hilton@kba.law> wrote:

He should be back, but I haven't heard from him yet. I let him know how urgent this is, hopefully we'll hear soon.

If you need to make an order, you can decide to go ahead (they may be upset, but you've tried to cooperate and your new design most likely doesn't infringe).

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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On Aug 3, 2021, 9:04 AM -0700, Ethan O'Connell <ethano1114@gmail.com>, wrote:

Hey Scott,

I just wanted to follow up and see if their attorney made it back from the convention.

Thank you,

Ethan

On Fri, Jul 30, 2021 at 10:17 AM Ethan O'Connell <ethano1114@gmail.com> wrote:

Thanks Scott!

Ethan

On Jul 29, 2021, at 3:30 PM, Scott Hilton <scott.hilton@kba.law> wrote:

Quick update, their attorney is at a legal convention this week, so I'm not sure when he'll be able to get back to me – hopefully it will still be soon, but if not, we may have to wait until next week.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Scott Hilton

Sent: Thursday, July 29, 2021 2:51 PM

To: Ethan O'Connell <ethano1114@gmail.com>

Subject: RE: Thread Wallets, LLC Letter (our

Hi Ethan. Yes, I reached out last week and explained our position, and on Monday they said they'd "get back to us promptly" but I haven't heard anything yet. I'll check in again now and see when we can expect to hear back.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Thursday, July 29, 2021 2:01 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Just want to check back in and see if we can put an order in for our new Crossbody bags. Were you able to talk with them a little more. Let me know.

Thank you,

Ethan

On Jul 22, 2021, at 3:24 PM, Scott Hilton <scott.hilton@kba.law> wrote:

Hi Ethan, thanks for letting me know on the timing. We'll do our best to resolve this ASAP.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>

Sent: Thursday, July 22, 2021 1:35 PM

To: Scott Hilton <scott.hilton@kba.law>

Subject: Re: Thread Wallets, LLC Letter (our

Scott,

We are now out of cross body inventory. Because of the discussions, which have been ongoing with thread wallet. We are in a position where this is affecting our sales and revenue negatively. We would like to place our new order no later than next Friday. can we work to that goal.

Thank you,

Ethan

On Jul 20, 2021, at 4:17 PM, Scott Hilton
<scott.hilton@kba.law> wrote:

Thanks Ethan, sounds like a plan. We'll push for that and I'll let you know how it goes.

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent
Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT:
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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Tuesday, July 20, 2021 12:41 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Let's see if we can use what we currently newly developed. If that doesn't work we can speak with our manufacturer about possibly changing the shape of the ring. Let me know if you think that would work. And what they say.

Thank you,

Ethan

Sent from my iPhone

On Jul 20, 2021, at 11:17 AM, Scott Hilton <scott.hilton@kba.law> wrote:

Thanks Ethan. That Adidas bag doesn't really help our argument, since it's the placement of the D-rings that they have the problem with (not the use of D-rings themselves – that part was my counter to allow you to leave the rings in the same places). If you'd rather not change the location of the D-rings, we can counter that the other design changes are enough, which they may or may not agree with.

What if you only move the bottom to D-rings to the side (we can argue that moving the top two would place them in

the way of the belt loops), would something like that work?

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE CITY,
UTAH 84101

OFFICE:
801.994.4646
DIRECT:
801.939.3691

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From: Ethan O'Connell

<ethano1114@gmail.com>

Sent: Tuesday, July 20, 2021 10:50 AM

To: Scott Hilton <scott.hilton@kba.law>

Subject: Re: Thread Wallets, LLC Letter
(our

Hey Scott,

Thank you for speaking with them. I feel like we are in a good spot. I wanted to point out to you that other crossbodys

on the market also use the D ring. I will attach Adidas crossbody, there are several more that use it. It's is very common and widely used with crossbodys across the industry. Can you suggest to them that since we are using 4 rings now, it will be a nice compromise. We are trying to establish a different look.

<https://www.tillys.com/product/adidas-originals-festival-crossbody-bag/384906100.html>

Thank you,

Ethan

On Jul 20, 2021, at 10:25 AM,
Scott Hilton
<scott.hilton@kba.law>
wrote:

Hi Ethan. I was able to speak to their attorneys this morning. They wanted me to tell you how much they appreciate the way Brixley has handled this so far.

They think the new design is mostly acceptable, and checks most of the boxes, but wanted you to consider moving the D-rings from the top/bottom shorter sides, to the left/right longer sides (since the D-ring placement is still the same). I pointed out that you now have 4 rings, which they said was helpful, but they still wanted

you to consider that last change (they liked the other changes, including the belt loops, the logo movement, and the slightly higher zipper).

If moving the placement of the D-rings to the sides isn't acceptable for you, I asked about using rings of a different shape (rectangle, triangle, circle, etc.) and they thought that might be a compromise that would work as well.

Let me know what you think, or if you have a counter proposal. We're getting close on this.

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101
OFFICE:
801.994.4646
DIRECT:
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From: Ethan O'Connell
<ethano1114@gmail.com>
Sent: Wednesday, July 14,
2021 4:11 PM
To: Scott Hilton
<scott.hilton@kba.law>
Subject: Re: Thread Wallets,
LLC Letter (our

This is fantastic! Let me know how it goes. we want to put in an order with manufacture soon. If they are okay with our changes, we would love to file a design patent with you.

Thank you,

Ethan

On Jul 14, 2021,
at 10:36 AM,
Scott Hilton
<scott.hilton@kba.law> wrote:

Quick update, I'll be discussing

this with their
attorney next
Tuesday
morning (so far
so good).

Thanks,

Scott

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On Jul 7, 2021,
8:18 AM -0600,
Ethan O'Connell
<ethano1114@gmail.com>,
wrote:

Thank you!!

Ethan

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SCOTT C.
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BROADWAY,
SUITE 1000
SALT LAKE
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From

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Scott

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SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
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From
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Ethan
O'Connell
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[ethano1114
@
gmail
.com](mailto:ethano1114@gmail.com)
>

Sent
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To
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Subject
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Scott

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SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

OFFICE:
801.994.4646
DIRECT:
801.939.3691

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From

:

Ethan
O'Connell

<

[ethano1114](mailto:ethano1114@gmail.com)

[@](mailto:ethano1114@gmail.com)
[gmail](mailto:ethano1114@gmail.com)

.

[com](mailto:ethano1114@gmail.com)

>

Sent

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Tuesday

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To
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Thank
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On
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Scott

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Hi

Ethan

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accept
this
new
design
as
is

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Thanks

,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY
SUITE 1000
SALT LAKE
CITY, UTAH
84101

OFFICE:
801.994.464
DIRECT:
801.939.369

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.

From

:

Ethan

O'Connell

<

[ethano1114](#)

BRIXLEY_008123

@
gmail
:
com
>

Sent
:
Tuesday
,
June
22
,
2021
11
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06
AM

To
:
Scott
Hilton
<

scott
:
hilton
@
kba
:
law
>

Subject
:
Re
:

Thread
Wallets

,
LLC
Letter
(
our

Hey
Scott
,

I
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reach
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see
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a
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to
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If

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Thank
you
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Ethan

On
Thu
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Jun
17
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2021
at
8
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30
AM
Ethan
O'Connell
<

[ethano1114](mailto:ethano1114@gmail.com)
[@](mailto:ethano1114@gmail.com)
[gmail](mailto:ethano1114@gmail.com)

:
[com](mailto:ethano1114@gmail.com)
>
wrote

:

Hey
Scott

,

This
was
just
a
sample
that
when
have
designed
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with
our
manufacturer

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We
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Let
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Thank
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Ethan

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On
Jun

BRIXLEY_008128

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Scott
Hilton
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scott

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@
kba

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Thanks
Ethan

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Pictures
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immediately if you are not an intended recipient.
prohibited.

From
:
Ethan
O'Connell
<

ethano1114
@
gmail
.
com
>

Sent
:
Tuesday
,
June

BRIXLEY_008131

15

,
2021

10

:

39

PM

To

:

Scott

Hilton

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scott

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hilton

@

kba

:

law

>

Subject

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Re

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Thread

Wallets

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LLC

Letter

(

our

Hey

Scott

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Thank
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for
letting
me
know
this
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We
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few
things
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Do
you
think
this
is
enough
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I

can
also
send
you
some
pictures
if
that
would
help

.

Let
me
know
what
is
best
for

you

,

Ethan

Sent
from
my
iPhone

On
Jun
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2021

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at
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34
PM

,
Scott
Hilton
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scott

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wrote
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Hi

Ethan

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The
Thread
Wallets
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Thanks

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Scott

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From

:

James

BRIXLEY_008138

W

McConkie

<

jmcconkie

@

wnlaw

:

com

>

Sent

:

Tuesday

,

June

15

,

2021

5

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05

PM

To

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Scott

Hilton

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scott

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hilton

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Lauren
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kba

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law

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Subject

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Thread
Wallets

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LLC
Letter
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BRIXLEY_008142

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I
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Best

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James

Proposed
changes
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- Move
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- Brixley logo / tag to a location different than the location used by Thread . For example , the front branded logo tag should be removed from the bottom right corner and the back branded logo tag needs to be

- removed from the center on the back of the bag .
- Adjust the front zipper placement up or change the orientation of the zipper so as to make it different than the placement or orientation used by Thread .

•

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image002
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image003
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James
W
.
McConkie
III

WORKMAN

NYDEGGER

60
East
South
Temple
,

Suite
1000

Salt
Lake
City
,
Utah
84111

Office
-
Direct

:
(
801
)
321
-
8841

Email

jmccconkie
@
wnlaw
:
com

*This
email
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unlawful*

From
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Scott
Hilton
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scott
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hilton
@
kba
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law
>

Sent
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Friday
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May
21
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2021
11
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52
AM

To
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James
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McConkie

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JMcConkie

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Subject

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RE

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Thread

Wallets

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LLC

Letter
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our

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Best

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Scott

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From

:

James

W

.

McConkie

<

[jmccconkie](mailto:jmccconkie@wnlaw.com)

[@](mailto:jmccconkie@wnlaw.com)

[wnlaw](mailto:jmccconkie@wnlaw.com)

.

[com](mailto:jmccconkie@wnlaw.com)

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Sent

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Friday

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May

21

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2021

BRIXLEY_008153

11
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AM

To
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Scott
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scott
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hilton
@
kba
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law
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scourdy
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com

Subject
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RE
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Thread
Wallets
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LLC

Letter
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our

Scott
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Attached
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letter
listing
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Let
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this
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Best

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James
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McConkie
III

WORKMAN

NYDEGGER

60
East
South
Temple

,

Suite
1000

Salt
Lake
City

,
Utah
84111

Office

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Direct

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Email

jmccconkie

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wnlaw

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com

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attorney

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unlawful*

From

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Scott
Hilton

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scott

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hilton

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kba

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law

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Sent

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Tuesday

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May

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2021

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BRIXLEY_008158

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PM

To

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James

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McConkie

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JMcConkie

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WNLaw

:

com

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Subject

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Thread

Wallets

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LLC

Letter

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our

Hi

James

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We

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Brixley
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regarding
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Please
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Best
Regards

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Scott

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From: "Ethan O'Connell" <ethano1114@gmail.com>
To: "Scott Hilton" <scott.hilton@kba.law>
Date: 8/8/2021 11:19:14 PM
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

I just wanted to let you know we placed our order on Friday for the new Crossbody bags. We are happy with the new design. We would love to file a design patent on this new Crossbody. What are the first steps to do this.

Thank you,

Ethan

On Aug 4, 2021, at 6:51 PM, Scott Hilton <scott.hilton@kba.law> wrote:

Hi Ethan. For sure, we can file a design patent application. We'll probably want to wait until we're sure the design is final, but as soon as that's the case we can prepare and file. We usually hear back from the USPTO between 6 months and a year from filing.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Tuesday, August 3, 2021 2:41 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Thank you! Do you think we can file for a design patent? How long does it usually take to get approved?

Ethan

On Tue, Aug 3, 2021 at 2:34 PM Scott Hilton <scott.hilton@kba.law> wrote:

He should be back, but I haven't heard from him yet. I let him know how urgent this is, hopefully we'll hear soon.

If you need to make an order, you can decide to go ahead (they may be upset, but you've tried to cooperate and your new design most likely doesn't infringe).

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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On Aug 3, 2021, 9:04 AM -0700, Ethan O'Connell <ethano1114@gmail.com>, wrote:

Hey Scott,

I just wanted to follow up and see if their attorney made it back from the convention.

Thank you,

Ethan

On Fri, Jul 30, 2021 at 10:17 AM Ethan O'Connell <ethano1114@gmail.com> wrote:

Thanks Scott!

Ethan

On Jul 29, 2021, at 3:30 PM, Scott Hilton <scott.hilton@kba.law> wrote:

Quick update, their attorney is at a legal convention this week, so I'm not sure when he'll be able to get back to me – hopefully it will still be soon, but if not, we may have to wait until next week.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON

Partner, Registered Patent Attorney

50 W BROADWAY, SUITE 1000

SALT LAKE CITY, UTAH 84101

OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Scott Hilton

Sent: Thursday, July 29, 2021 2:51 PM

To: Ethan O'Connell <ethano1114@gmail.com>

Subject: RE: Thread Wallets, LLC Letter (our

Hi Ethan. Yes, I reached out last week and explained our position, and on Monday they said they'd "get back to us promptly" but I haven't heard anything yet. I'll check in again now and see when we can expect to hear back.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON

Partner, Registered Patent Attorney

50 W BROADWAY, SUITE 1000

SALT LAKE CITY, UTAH 84101

OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>

Sent: Thursday, July 29, 2021 2:01 PM

To: Scott Hilton <scott.hilton@kba.law>

Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Just want to check back in and see if we can put an order in for our new Crossbody bags. Were you able to talk with them a little more. Let me know.

Thank you,

Ethan

On Jul 22, 2021, at 3:24 PM, Scott Hilton <scott.hilton@kba.law> wrote:

Hi Ethan, thanks for letting me know on the timing. We'll do our best to resolve this ASAP.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON

Partner, Registered Patent Attorney

50 W BROADWAY, SUITE 1000

SALT LAKE CITY, UTAH 84101

OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Thursday, July 22, 2021 1:35 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Scott,

We are now out of cross body inventory. Because of the discussions, which have been ongoing with thread wallet. We are in a position where this is affecting our sales and revenue negatively. We would like to place our new order no later than next Friday. can we work to that goal.

Thank you,

Ethan

On Jul 20, 2021, at 4:17 PM, Scott Hilton
<scott.hilton@kba.law> wrote:

Thanks Ethan, sounds like a plan. We'll push for that and I'll let you know how it goes.

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent
Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT:
801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Tuesday, July 20, 2021 12:41 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Let's see if we can use what we currently newly developed. If that doesn't work we can speak with our manufacturer about possibly changing the shape of the ring. Let me know if you think that would work. And what they say.

Thank you,

Ethan

Sent from my iPhone

On Jul 20, 2021, at 11:17 AM, Scott Hilton <scott.hilton@kba.law> wrote:

Thanks Ethan. That Adidas bag doesn't really help our argument, since it's the placement of the D-rings that they have the problem with (not the use of D-rings themselves – that part was my counter to allow you to leave the rings in the same places). If you'd rather not change the location of the D-rings, we can counter that the other design changes are enough, which they may or may not agree with.

What if you only move the bottom to D-rings to the side (we can argue that moving the top two would place them in

the way of the belt loops), would something like that work?

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE CITY,
UTAH 84101

OFFICE:
801.994.4646
DIRECT:
801.939.3691

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From: Ethan O'Connell

<ethano1114@gmail.com>

Sent: Tuesday, July 20, 2021 10:50 AM

To: Scott Hilton <scott.hilton@kba.law>

Subject: Re: Thread Wallets, LLC Letter
(our

Hey Scott,

Thank you for speaking with them. I feel like we are in a good spot. I wanted to point out to you that other crossbodys

on the market also use the D ring. I will attach Adidas crossbody, there are several more that use it. It's is very common and widely used with crossbodys across the industry. Can you suggest to them that since we are using 4 rings now, it will be a nice compromise. We are trying to establish a different look.

<https://www.tillys.com/product/adidas-originals-festival-crossbody-bag/384906100.html>

Thank you,

Ethan

On Jul 20, 2021, at 10:25 AM,
Scott Hilton
<scott.hilton@kba.law>
wrote:

Hi Ethan. I was able to speak to their attorneys this morning. They wanted me to tell you how much they appreciate the way Brixley has handled this so far.

They think the new design is mostly acceptable, and checks most of the boxes, but wanted you to consider moving the D-rings from the top/bottom shorter sides, to the left/right longer sides (since the D-ring placement is still the same). I pointed out that you now have 4 rings, which they said was helpful, but they still wanted

you to consider that last change (they liked the other changes, including the belt loops, the logo movement, and the slightly higher zipper).

If moving the placement of the D-rings to the sides isn't acceptable for you, I asked about using rings of a different shape (rectangle, triangle, circle, etc.) and they thought that might be a compromise that would work as well.

Let me know what you think, or if you have a counter proposal. We're getting close on this.

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101
OFFICE:
801.994.4646
DIRECT:
801.939.3691

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From: Ethan O'Connell
<ethano1114@gmail.com>
Sent: Wednesday, July 14,
2021 4:11 PM
To: Scott Hilton
<scott.hilton@kba.law>
Subject: Re: Thread Wallets,
LLC Letter (our

This is fantastic! Let me know how it goes. we want to put in an order with manufacture soon. If they are okay with our changes, we would love to file a design patent with you.

Thank you,

Ethan

On Jul 14, 2021,
at 10:36 AM,
Scott Hilton
<scott.hilton@kba.law> wrote:

Quick update, I'll be discussing

this with their
attorney next
Tuesday
morning (so far
so good).

Thanks,

Scott

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On Jul 7, 2021,
8:18 AM -0600,
Ethan O'Connell
<ethano1114@gmail.com>,
wrote:

Thank you!!

Ethan

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PM

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Scott

Hilton

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Thanks

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Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

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801.939.3691

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prohibited.

From
:
Ethan
O'Connell
<

[ethano1114](mailto:ethano1114@gmail.com)
[@](#)
[gmail](#)
:
[com](#)
>

Sent
:

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Tuesday

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2021
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AM

To
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Scott
Hilton
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scott
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hilton
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Subject
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Re
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Thread
Wallets
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LLC
Letter
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Hey

Scott

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hilton@kba

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Sounds
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we

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move
forward
and
let
you
know
how
it
goes

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Thanks

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Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
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From

:

Ethan
O'Connell

<

[ethano1114](mailto:ethano1114@gmail.com)

[@](mailto:ethano1114@gmail.com)

[gmail](mailto:ethano1114@gmail.com)

:

[com](mailto:ethano1114@gmail.com)

>

Sent

:

Wednesday

,

June

23

,
2021
6
:
38
PM

To
:
Scott
Hilton
<

scott
:
hilton
@
kba
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law
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Subject
:
Re
:
Thread
Wallets
,
LLC
Letter
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our

Hey
Scott
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In
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Let
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Thank
you

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Ethan

Sent
from
my
iPhone

On

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AM

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Scott

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Thanks

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Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
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CITY, UTAH
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From

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Ethan
O'Connell

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[@](mailto:ethano1114@gmail.com)

[gmail](mailto:ethano1114@gmail.com)

[.](mailto:ethano1114@gmail.com)

[com](mailto:ethano1114@gmail.com)

>

Sent

:

Tuesday

,

June

22

,

2021

6

:

37

PM

BRIXLEY_008191

To
:
Scott
Hilton
<

scott
:
hilton
@
kba
:
law
>

Subject
:
Re
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Thread
Wallets
,
LLC
Letter
(
our

Thanks
for
the
quick
response

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I
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if
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can
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the
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that
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Let
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Let
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Thank
you
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Ethan

Sent
from
my
iPhone

On
Jun

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PM

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Scott

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wrote

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Hi

Ethan

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The

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accept
this
new
design
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Thanks

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Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY
SUITE 1000
SALT LAKE
CITY, UTAH
84101

OFFICE:
801.994.464
DIRECT:
801.939.369

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From
:
Ethan
O'Connell
<

[ethano1114](#)

BRIXLEY_008201

@
gmail
:
com
>

Sent
:
Tuesday
,
June
22
,
2021
11
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06
AM

To
:
Scott
Hilton
<

scott
:
hilton
@
kba
:
law
>

Subject
:
Re
:

Thread
Wallets

,
LLC
Letter
(
our

Hey
Scott
,

I
just
wanted
to
reach
out
and
see
if
you
had
a
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pictures
that
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If

you
need
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see
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let
me
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Thank
you
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Ethan

On
Thu
,
Jun
17
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2021
at
8
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30
AM
Ethan
O'Connell
<

[ethano1114](mailto:ethano1114@gmail.com)
[@](mailto:ethano1114@gmail.com)
[gmail](mailto:ethano1114@gmail.com)
:
[com](mailto:ethano1114@gmail.com)
>
wrote

:

Hey
Scott

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This
was
just
a
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We
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Let
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Thank
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On
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Thanks
Ethan

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Pictures
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They

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From
:
Ethan
O'Connell
<

ethano1114
@
gmail
.
com
>

Sent
:
Tuesday
,
June

15

,
2021

10

:

39

PM

To

:

Scott

Hilton

<

scott

:

hilton

@

kba

:

law

>

Subject

:

Re

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Thread

Wallets

,

LLC

Letter

(

our

Hey

Scott

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Thank
you
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letting
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know
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We
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help

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Let
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know
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is
best
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you

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Ethan

Sent
from
my
iPhone

On
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2021

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Scott
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kba

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Hi

Ethan

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The
Thread
Wallets
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Thanks

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Scott

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From

:

James

BRIXLEY_008216

W

McConkie

<

jmcconkie

@

wnlaw

:

com

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Sent

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Tuesday

,

June

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PM

To

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Scott

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Swenson

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law

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Subject

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RE

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Wallets

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Letter

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BRIXLEY_008220

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I
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Best

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James

Proposed
changes
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- Move
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rings
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- Move
the

- Brixley logo / tag to a location different than the location used by Thread . For example , the front branded logo tag should be removed from the bottom right corner and the back branded logo tag needs to be

- removed from the center on the back of the bag .
- Adjust the front zipper placement up or change the orientation of the zipper so as to make it different than the placement or orientation used by Thread .

•

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image002

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image003

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James
W

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McConkie
III

WORKMAN

NYDEGGER

60
East
South
Temple

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Suite
1000

Salt
Lake
City

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Utah
84111

Office
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Direct

:
(
801
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321
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8841

Email

jmccconkie
@
wnlaw
:
com

*This
email
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BRIXLEY_008226

*be
unlawful*

From
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Scott
Hilton
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scott
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hilton
@
kba
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Sent
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Friday
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To
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James
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Subject

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RE

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Thread

Wallets

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LLC

Letter
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our

Thank
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James

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very
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Best
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Scott

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From

:

James

W

.

McConkie

<

[jmccconkie](mailto:jmccconkie@wnlaw.com)

@

wnlaw

.

com

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Sent

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Friday

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May

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2021

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Thread
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Letter
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Best

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James
W

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McConkie
III

WORKMAN

NYDEGGER

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Suite
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City

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Utah
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Office

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8841

Email

jmccconkie

@

wnlaw

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com

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PM

To

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James

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Subject

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Thread

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Letter

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Hi

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Best
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Scott

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From: "Scott Hilton" <scott.hilton@kba.law>
To: "Ethan O'Connell" <ethano1114@gmail.com>
Date: 8/9/2021 10:30:14 PM
Subject: RE: Thread Wallets, LLC Letter (our

Thanks for the update (FYI, I still haven't heard from their attorney).

If you'd like us to prepare the drawings, I think we have everything we need to get started. If you already have 3D black and white line drawings for the design that you can send us (left, right, top, bottom, front, back, and perspective), that will reduce your costs for the application from \$1800 down to \$1000, so let me know if you already have drawings we can use. We'll also need the full name (middle name or initial optional) of each inventor that conceived of the design, and their city of residence.

With that info, we can go ahead and prepare the application.

Thanks,

Scott



SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Sunday, August 8, 2021 11:19 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

I just wanted to let you know we placed our order on Friday for the new Crossbody bags. We are happy with the new design. We would love to file a design patent on this new Crossbody. What are the first steps to do this.

Thank you,

Ethan

On Aug 4, 2021, at 6:51 PM, Scott Hilton <scott.hilton@kba.law> wrote:

Hi Ethan. For sure, we can file a design patent application. We'll probably want to wait until we're sure the design is final, but as soon as that's the case we can prepare and file. We usually hear back from the USPTO between 6 months and a year from filing.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>

Sent: Tuesday, August 3, 2021 2:41 PM

To: Scott Hilton <scott.hilton@kba.law>

Subject: Re: Thread Wallets, LLC Letter (our

Thank you! Do you think we can file for a design patent? How long does it usually take to get approved?

Ethan

On Tue, Aug 3, 2021 at 2:34 PM Scott Hilton <scott.hilton@kba.law> wrote:

He should be back, but I haven't heard from him yet. I let him know how urgent this is, hopefully we'll hear soon.

If you need to make an order, you can decide to go ahead (they may be upset, but you've tried to cooperate and your new design most likely doesn't infringe).

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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On Aug 3, 2021, 9:04 AM -0700, Ethan O'Connell <ethano1114@gmail.com>, wrote:

Hey Scott,

I just wanted to follow up and see if their attorney made it back from the convention.

Thank you,

Ethan

On Fri, Jul 30, 2021 at 10:17 AM Ethan O'Connell <ethano1114@gmail.com> wrote:

Thanks Scott!

Ethan

On Jul 29, 2021, at 3:30 PM, Scott Hilton <scott.hilton@kba.law> wrote:

Quick update, their attorney is at a legal convention this week, so I'm not sure when he'll be able to get back to me – hopefully it will still be soon, but if not, we may have to wait until next week.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Scott Hilton
Sent: Thursday, July 29, 2021 2:51 PM
To: Ethan O'Connell <ethano1114@gmail.com>
Subject: RE: Thread Wallets, LLC Letter (our

Hi Ethan. Yes, I reached out last week and explained our position, and on Monday they said they'd "get back to us promptly" but I haven't heard anything yet. I'll check in again now and see when we can expect to hear back.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Thursday, July 29, 2021 2:01 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Just want to check back in and see if we can put an order in for our new Crossbody bags. Were you able to talk with them a little more. Let me know.

Thank you,

Ethan

On Jul 22, 2021, at 3:24 PM, Scott Hilton
<scott.hilton@kba.law> wrote:

Hi Ethan, thanks for letting me know on the timing. We'll
do our best to resolve this ASAP.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT:
801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Thursday, July 22, 2021 1:35 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Scott,

We are now out of cross body inventory. Because of the
discussions, which have been ongoing with thread wallet.
We are in a position where this is affecting our sales and
revenue negatively. We would like to place our new order
no later than next Friday. can we work to that goal.

Thank you,

Ethan

On Jul 20, 2021, at 4:17 PM, Scott Hilton
<scott.hilton@kba.law> wrote:

Thanks Ethan, sounds like a plan. We'll push
for that and I'll let you know how it goes.

<image001.png>

SCOTT C. HILTON
Partner, Registered
Patent Attorney

50 W BROADWAY,
SUITE 1000
SALT LAKE CITY,
UTAH 84101

OFFICE: 801.994.4646
DIRECT: 801.939.3691

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prohibited.

From: Ethan O'Connell
<ethano1114@gmail.com>
Sent: Tuesday, July 20, 2021 12:41 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Let's see if we can use what we currently
newly developed. If that doesn't work we can
speak with our manufacturer about possibly
changing the shape of the ring. Let me know if

you think that would work. And what they say.

Thank you,

Ethan

Sent from my iPhone

On Jul 20, 2021, at 11:17 AM,
Scott Hilton
<scott.hilton@kba.law> wrote:

Thanks Ethan. That Adidas bag doesn't really help our argument, since it's the placement of the D-rings that they have the problem with (not the use of D-rings themselves – that part was my counter to allow you to leave the rings in the same places). If you'd rather not change the location of the D-rings, we can counter that the other design changes are enough, which they may or may not agree with.

What if you only move the bottom to D-rings to the side (we can argue that moving the top two would place them in the way of the belt loops), would something like that work?

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

OFFICE:
801.994.4646
DIRECT:
801.939.3691

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From: Ethan O'Connell
<ethano1114@gmail.com>
Sent: Tuesday, July 20, 2021 10:50 AM
To: Scott Hilton
<scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Thank you for speaking with them. I feel like we are in a good spot. I wanted to point out to you that other crossbodies on the market also use the D ring. I will attach Adidas crossbody, there are several more that use it. It's is very common and widely used with crossbodies across the

industry. Can you suggest to them that since we are using 4 rings now, it will be a nice compromise. We are trying to establish a different look.

<https://www.tillys.com/product/adidas-originals-festival-crossbody-bag/384906100.html>

Thank you,

Ethan

On Jul 20, 2021, at 10:25 AM, Scott Hilton
<scott.hilton@kba.la> wrote:

Hi Ethan. I was able to speak to their attorneys this morning. They wanted me to tell you how much they appreciate the way Brixley has handled this so far.

They think the new design is mostly acceptable, and checks most of the boxes, but wanted you to consider moving the D-rings from the top/bottom shorter sides, to the left/right longer sides (since the D-ring placement is still the

same). I pointed out that you now have 4 rings, which they said was helpful, but they still wanted you to consider that last change (they liked the other changes, including the belt loops, the logo movement, and the slightly higher zipper).

If moving the placement of the D-rings to the sides isn't acceptable for you, I asked about using rings of a different shape (rectangle, triangle, circle, etc.) and they thought that might be a compromise that would work as well.

Let me know what you think, or if you have a counter proposal. We're getting close on this.

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101
OFFICE:
801.994.4646
DIRECT:
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From: Ethan
O'Connell
<ethano1114@gmail.com>
Sent: Wednesday,
July 14, 2021 4:11 PM
To: Scott Hilton
<scott.hilton@kba.la>
Subject: Re: Thread
Wallets, LLC Letter
(our

This is fantastic! Let
me know how it goes.
we want to put in an
order with
manufacture soon. If
they are okay with
our changes, we
would love to file a
design patent with
you.

Thank you,

Ethan

On Jul
14, 2021,
at 10:36
AM,
Scott
Hilton
<[scott.hil
ton@kba
.law](mailto:scott.hilton@kba.law)>
wrote:

Quick
update,
I'll be
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Tuesday
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Thanks,

Scott

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On Jul 7,
2021,
8:18 AM
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Ethan
O'Connell
I

<ethano1114@gmail.com>
, wrote:

Thank
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Ethan

On
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Thanks

Scott

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SCOTT C.
HILTON
Partner,
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50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
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From

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Ethan

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ethano1114

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Sent

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To

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Subject

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Thread

Wallets

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Letter

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Hey

Scott

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Thank
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Ethan
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On
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Scott
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Thanks

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Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101
OFFICE:
801.994.4646
DIRECT:
801.939.3691

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From

:

Ethan
O'Connell

<

[ethano1114](mailto:ethano1114@gmail.com)

[@](mailto:ethano1114@gmail.com)
[gmail](mailto:ethano1114@gmail.com)

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[com](mailto:ethano1114@gmail.com)

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Sent

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Wednesday

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June
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To
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Scott
Hilton
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scott
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Subject
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Re
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Thread
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Hey
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Let
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Thank
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Ethan

Sent
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On
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Thanks

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Scott

<image001.png>

SCOTT C.
HILTON
Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101
OFFICE:
801.994.4646
DIRECT:
801.939.3691

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From
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Ethan
O'Connell
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ethano1114
@
gmail
:
com
>

Sent
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Tuesday
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June
22
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2021
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PM

To
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Scott
Hilton
<

scott
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hilton
@
kba
:
law

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Subject

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Re

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Thread
Wallets

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LLC

Letter

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Thanks

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Do

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Let
me
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Thank
you
,

Ethan

Sent
from
my
iPhone

On
Jun
22

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2021

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at
4

:
29
PM

,
Scott
Hilton
<

scott

hilton

@
kba

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law
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wrote
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Hi
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Let
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II
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this
new
design
as
is
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Thanks

,

Scott

<image001.png>

SCOTT
HILTON
Partner,
Register
Patent
Attorney

50 W
BROADV
SUITE 10
SALT LA
CITY, UT
84101

OFFICE:
801.994
DIRECT:
801.939

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prohibited.

From

:

Ethan
O'Connell

<

[ethano1114](mailto:ethano1114@gmail.com)

[@](mailto:ethano1114@gmail.com)

[gmail](mailto:ethano1114@gmail.com)

[:](mailto:ethano1114@gmail.com)

[com](mailto:ethano1114@gmail.com)

>

Sent

:

Tuesday

,

June

22

,

2021

11

:

06

AM

To

:

Scott
Hilton

<

scott

hilton
@
kba

law
>

Subject

:
Re
:
Thread
Wallets

,
LLC
Letter
(
our

Hey
Scott

,

I
just
wanted
to
reach
out
and
see
if
you
had
a
chance
to
look
at
the

pictures
that
I
have

attached
in
the
earlier
email

.
If
you
need
to
see
more
pictures
let
me
know
.

Thank
you
,

Ethan

On
Thu
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Jun
17
,
2021
at
8
:
30
AM

Ethan
O'Connell

<

ethano1114

@

gmail

.

com

>

wrote

:

Hey
Scott

,

This
was
just
a
sample
that
when
have
designed
the
with
our
manufacturer

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We
have
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a
few
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our
earlier
email

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Let
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if
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should
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change
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of
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Thank
you

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Ethan

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On
Jun
16
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2021
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at
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42
AM
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Scott
Hilton
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scott
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hilton
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kba
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law
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wrote
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Thanks
Ethan
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Pictures
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please
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They
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From
:
Ethan
O'Connell
<

ethano1114
@
gmail
.
com
>

Sent
:
Tuesday
,
June
15
,
2021
10
:
39
PM

To
:
Scott
Hilton
<

[scott](mailto:scott.hilton@kba-law.com)
:
[hilton](mailto:hilton@kba-law.com)
[@](mailto:hilton@kba-law.com)
[kba](mailto:hilton@kba-law.com)
:
[law](mailto:hilton@kba-law.com)
>

Subject
:
Re
:
Thread
Wallets
,
LLC
Letter
(
our

Hey
Scott

,

Thank
you
for
letting
me
know
this

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We
have
changed
a
few
things
on
the
bag

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which
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We
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Do
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help

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Let
me
know
what
is

best
for
you
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Ethan

Sent
from
my
iPhone

On
Jun
15
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2021
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at
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34
PM
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Scott
Hilton
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scott

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hilton

@
kba

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law

>
wrote
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Hi

Ethan

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Thread
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attorney
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Thanks

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Scott

<image001.pr

This e-mail message is i
immediately if you are n
prohibited.

From

:

James

W

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McConkie

<

jmconkie@wnlaw

:

com

>

Sent

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Tuesday

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June

15

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2021

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05

PM

To

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Scott

Hilton

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scott

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hilton@kba

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law

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wnlaw

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Lauren
Swenson
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lswenson
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kba

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law
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Subject

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Thread
Wallets

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LLC
Letter
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our

Scott

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a
chance
to
discuss
some
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I
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Best

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James

Proposed
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- Move
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- Move
the
Brixley
logo
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different
than
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location

- used by Thread . For example , the front branded logo tag should be removed from the bottom right corner and the back branded logo tag needs to be removed from the center on the back of the bag .

- Adjust the front zipper placement up or change the orientation of the zipper so as to make it different than the placement or orientation used by Thread .

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image002

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James
W

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McConkie
III

WORKMAN

NYDEGGER

60
East
South
Temple

'
Suite
1000

Salt
Lake
City

'
Utah
84111

Office
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Direct

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801
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321
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8841

Email

jmccconkie
@
wnlaw
.
com

*This
email*

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From

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Scott
Hilton

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Sent

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Friday

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May

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AM

To

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James

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Subject

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Thread
Wallets

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LLC
Letter
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our

Thank
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Best

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Scott

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From

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James

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McConkie

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wnlaw

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Sent

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Friday

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AM

To

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Scott

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scott

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hilton

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scourdy
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Subject

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RE

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Thread

Wallets

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LLC

Letter

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Scott

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Attached

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Let

me
know
if
you
are
available
for
a
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Wednesday
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I
think
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call
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Best

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James

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McConkie
III

WORKMAN

NYDEGGER

60
East
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Suite
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Salt
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Utah
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Email

jmccconkie
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com

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From

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Sent

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Tuesday

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May

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PM

To

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James

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McConkie

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JMcConkie

@

WNLaw

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com

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Subject

:

Thread

Wallets

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LLC

Letter

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our

Hi

James

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We
received
your
letter
to
Brixley
Bags
regarding
Thread
Wallets
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Please
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Best
Regards

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Scott

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From: KBA <scott.hilton@kba.law>

To: "Ethan O'Connell" <ethano1114@gmail.com>

Date: 8/11/2021 3:15:40 PM

Subject: RE: Thread Wallets, LLC Letter (our

Hi Ethan. The Thread Wallets attorney got back to me today (I guess he'd been on vacation) and they're wondering if, since you can't move the location of the rings, you may be able to change to another shape of rings (circle or square or something) instead of D rings. I know you weren't sure if that's something your manufacturer could do, but let me know if you were able to confirm that, or if there's a different shape that might work.

Thanks,

Scott



SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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On Aug 10, 2021, 12:30 AM -0400, Scott Hilton <scott.hilton@kba.law>, wrote:

Thanks for the update (FYI, I still haven't heard from their attorney).

If you'd like us to prepare the drawings, I think we have everything we need to get started. If you already have 3D black and white line drawings for the design that you can send us (left, right, top, bottom, front, back, and perspective), that will reduce your costs for the application from \$1800 down to \$1000, so let me know if you already have drawings we can use. We'll also need the full name (middle name or initial optional) of each inventor that conceived of the design, and their city of residence.

With that info, we can go ahead and prepare the application.

Thanks,

Scott



SCOTT C. HILTON

Partner, Registered Patent Attorney

50 W BROADWAY, SUITE 1000

SALT LAKE CITY, UTAH 84101

OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>

Sent: Sunday, August 8, 2021 11:19 PM

To: Scott Hilton <scott.hilton@kba.law>

Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

I just wanted to let you know we placed our order on Friday for the new Crossbody bags. We are happy with the new design. We would love to file a design patent on this new Crossbody. What are the first steps to do this.

Thank you,

Ethan

On Aug 4, 2021, at 6:51 PM, Scott Hilton <scott.hilton@kba.law> wrote:

Hi Ethan. For sure, we can file a design patent application. We'll probably want to wait until we're sure the design is final, but as soon as that's the case we can prepare and file. We usually hear back from the USPTO between 6 months and a year from filing.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON

Partner, Registered Patent Attorney

50 W BROADWAY, SUITE 1000

SALT LAKE CITY, UTAH 84101

OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Tuesday, August 3, 2021 2:41 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Thank you! Do you think we can file for a design patent? How long does it usually take to get approved?

Ethan

On Tue, Aug 3, 2021 at 2:34 PM Scott Hilton <scott.hilton@kba.law> wrote:

He should be back, but I haven't heard from him yet. I let him know how urgent this is, hopefully we'll hear soon.

If you need to make an order, you can decide to go ahead (they may be upset, but you've tried to cooperate and your new design most likely doesn't infringe).

Thanks,

Scott

<image001.png>

SCOTT C. HILTON

Partner, Registered Patent Attorney

50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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On Aug 3, 2021, 9:04 AM -0700, Ethan O'Connell <ethano1114@gmail.com>, wrote:

Hey Scott,

I just wanted to follow up and see if their attorney made it back from the convention.

Thank you,

Ethan

On Fri, Jul 30, 2021 at 10:17 AM Ethan O'Connell
<ethano1114@gmail.com> wrote:

Thanks Scott!

Ethan

On Jul 29, 2021, at 3:30 PM, Scott Hilton
<scott.hilton@kba.law> wrote:

Quick update, their attorney is at a legal convention this week, so I'm not sure when he'll be able to get back to me – hopefully it will still be soon, but if not, we may have to wait until next week.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON

Partner, Registered Patent Attorney

50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101

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From: Scott Hilton
Sent: Thursday, July 29, 2021 2:51 PM
To: Ethan O'Connell <ethano1114@gmail.com>
Subject: RE: Thread Wallets, LLC Letter (our

Hi Ethan. Yes, I reached out last week and explained our position, and on Monday they said they'd "get back to us promptly" but I haven't heard anything yet. I'll check in again now and see when we can expect to hear back.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON

Partner, Registered Patent Attorney

50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101

OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>

Sent: Thursday, July 29, 2021 2:01 PM

To: Scott Hilton <scott.hilton@kba.law>

Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Just want to check back in and see if we can put an order in for our new Crossbody bags. Were you able to talk with them a little more. Let me know.

Thank you,

Ethan

On Jul 22, 2021, at 3:24 PM, Scott Hilton
<scott.hilton@kba.law> wrote:

Hi Ethan, thanks for letting me know on the
timing. We'll do our best to resolve this ASAP.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON

Partner, Registered Patent
Attorney

50 W BROADWAY, SUITE
1000
SALT LAKE CITY, UTAH
84101

OFFICE: 801.994.4646 DIRECT:
801.939.3691

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From: Ethan O'Connell
<ethano1114@gmail.com>
Sent: Thursday, July 22, 2021 1:35 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Scott,

We are now out of cross body inventory. Because of the discussions, which have been ongoing with thread wallet. We are in a position where this is affecting our sales and revenue negatively. We would like to place our new order no later than next Friday. can we work to that goal.

Thank you,

Ethan

On Jul 20, 2021, at 4:17 PM, Scott
Hilton <scott.hilton@kba.law> wrote:

Thanks Ethan, sounds like a plan.
We'll push for that and I'll let you
know how it goes.

<image001.png>

SCOTT C.
HILTON

Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

OFFICE:
801.994.4646
DIRECT:
801.939.3691

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BRIXLEY_008330

From: Ethan O'Connell
<ethano1114@gmail.com>
Sent: Tuesday, July 20, 2021 12:41 PM
To: Scott Hilton
<scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC
Letter (our

Hey Scott,

Let's see if we can use what we currently newly developed. If that doesn't work we can speak with our manufacturer about possibly changing the shape of the ring. Let me know if you think that would work. And what they say.

Thank you,

Ethan

Sent from my iPhone

On Jul 20, 2021, at 11:17
AM, Scott Hilton
<scott.hilton@kba.law>
wrote:

Thanks Ethan. That
Adidas bag doesn't really
help our argument, since
it's the placement of the
D-rings that they have
the problem with (not the
use of D-rings themselves
– that part was my
counter to allow you to
leave the rings in the
same places). If you'd
rather not change the
location of the D-rings,
we can counter that the
other design changes are

enough, which they may
or may not agree with.

What if you only move
the bottom to D-rings to
the side (we can argue
that moving the top two
would place them in the
way of the belt loops),
would something like that
work?

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON

Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101
OFFICE:
801.994.4646
DIRECT:
801.939.3691

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From: Ethan O'Connell
<ethano1114@gmail.com>
>
Sent: Tuesday, July 20, 2021 10:50 AM
To: Scott Hilton
<scott.hilton@kba.law>
Subject: Re: Thread
Wallets, LLC Letter (our

Hey Scott,

BRIXLEY_008334

Thank you for speaking with them. I feel like we are in a good spot. I wanted to point out to you that other crossbodys on the market also use the D ring. I will attach Adidas crossbody, there are several more that use it. It's is very common and widely used with crossbodys across the industry. Can you suggest to them that since we are using 4 rings now, it will be a nice compromise. We are trying to establish a different look.

<https://www.tillys.com/product/adidas-originals-festival-crossbody-bag/384906100.html>

Thank you,

Ethan

On Jul 20,
2021, at 10:25
AM, Scott
Hilton
<scott.hilton@kba.law>
wrote:

Hi Ethan. I was
able to speak
to their
attorneys this
morning. They
wanted me to
tell you how
much they
appreciate the
way Brixley
has handled
this so far.

They think the
new design is
mostly
acceptable,

and checks
most of the
boxes, but
wanted you to
consider
moving the D-
rings from the
top/bottom
shorter sides,
to the left
/right longer
sides (since
the D-ring
placement is
still the same).
I pointed out
that you now
have 4 rings,
which they
said was
helpful, but
they still
wanted you to
consider that
last change
(they liked the
other changes,
including the
belt loops, the
logo
movement,

and the
slightly higher
zipper).

If moving the
placement of
the D-rings to
the sides isn't
acceptable for
you, I asked
about using
rings of a
different
shape
(rectangle,
triangle, circle,
etc.) and they
thought that
might be a
compromise
that would
work as well.

Let me know
what you
think, or if you
have a counter
proposal.

We're getting
close on this.

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON

Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

OFFICE:
801.994.4646
DIRECT:
801.939.3691

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BRIXLEY_008339

From: Ethan
O'Connell
<ethano1114@gmail.com>
Sent:
Wednesday,
July 14, 2021
4:11 PM
To: Scott
Hilton
<scott.hilton@kba.law>
Subject: Re:
Thread
Wallets, LLC
Letter (our

This is
fantastic! Let
me know how
it goes. we
want to put in
an order with
manufacture

soon. If they
are okay with
our changes,
we would love
to file a design
patent with
you.

Thank you,

Ethan

On
Jul
14,
20
21,
at
10:

36
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Th
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Sc
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<20B75231325845249A31CFF92800EC8D.png

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immediately if you are not an intended recipient or its agent. Be aware that a
prohibited.

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wr
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Thank
you
!
!

Ethan

On
Jul
6
,

2021

,

at

2

:

51

PM

,

Scott

Hilton

<

scott

:

hilton

@

kba

:

law

>

wrote

:

Hey

Ethan

.

I

haven

,

t

heard

back

yet

,

I

,

II

check

with

them

and

see

where

they

,

re

at

on

this

and

let

you

know

.

Thanks

,

Scott

<image001.png>

SCOTT C.
HILTON

Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

OFFICE:
801.994.4646
DIRECT:
801.939.3691

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From

:

Ethan
O'Connell

<

[ethano1114](mailto:ethano1114@gmail.com)

[@](mailto:ethano1114@gmail.com)

[gmail](mailto:ethano1114@gmail.com)

:

[com](mailto:ethano1114@gmail.com)

>

Sent

:

Tuesday

,
July
6

,
2021
8
:
17
AM

To
:
Scott
Hilton
<

scott
:
hilton
@
kba
:
law
>

Subject

:

Re

:

Thread

Wallets

,

LLC

Letter

(

our

Hey

Scott

,

I

hope

you

had

a
great
4th of
July
weekend

.
I
just
wanted

to
touch
base
with
you

and
see
if
you
were
able
to
get
a
response

back
from
their
attorney
,
regarding
our
new
design
for
the
crossbody
.

Thank
you
,

Ethan
O'Connell

On
Wed
,
Jun
23
,
2021
at
6
:
44
PM
Scott
Hilton
<

scott
:
hilton
@
kba

:
law
>
wrote
:

Sounds
good
Ethan

,
we
,

ll
move
forward
and
let
you
know
how
it
goes
.

Thanks

Scott

<image001.png>

SCOTT C.
HILTON

Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

OFFICE:
801.994.4646
DIRECT:
801.939.3691

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From

:

Ethan
O'Connell

<

ethano1114

@

gmail

:

com

>

Sent

:

Wednesday

,

June
23

,
2021
6
:
38
PM

To
:
Scott
Hilton
<

scott

;
hilton
@
kba

;
law
>

Subject

:

Re

:

Thread

Wallets

,

LLC

Letter

(

our

Hey

Scott

,

In

regards

of

filing

a
design
patent

,

let

,

s

just
go
ahead
and
show
them
the
new
design

.

Like
you
said
we
can
just
make
it
confidential

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I
think
that
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is
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our
new
design
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fully
develop
the
new
product
,
we
would
love
to
final

for
a
design
patent
with
you
.

Let
me
know
what
they
say
!

Thank
you

Ethan

Sent
from
my
iPhone

On
Jun
23

,
2021

,
at
10
:

24
AM
,
Scott
Hilton
<

scott
:
hilton
@
kba

:
law
>
wrote
:

Sounds
good
,

I
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II
run
it
past
them
and
let
you
know
how
it
goes
.

On
your
question
about
filing
a
design
patent

application

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normally
it
would
be
a
very
good
idea
to
file
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sharing

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decide
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them
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the
application
may
not
cover
the
design
(
potentially
requiring
another
patent
application

).

In
this
case
,
since
we
,
re
only
sharing
for
purposes
of
settlement
negotiations
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you
will
have
some
protection
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and
I

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mark

them

as

confidential

as

well

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That

being

said

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absolutely

happy

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patent
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changes
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getting
two
different
design
patents

isn
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t
a
bad
thing
either
,
so
let
me
know
.

Thanks
,

Scott

SCOTT C
HILTON

Partner,
Registered
Patent
Attorney

<image001.png>

50 W
BROADWAY
SUITE 100
SALT LAKE
CITY, UTAH
84101

OFFICE:
801.994.4666
DIRECT:
801.939.3666

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From

:

Ethan
O'Connell

<

[ethano1114](mailto:ethano1114@gmail.com)
[@](mailto:ethano1114@gmail.com)
[gmail](mailto:ethano1114@gmail.com)

:

[com](mailto:ethano1114@gmail.com)

>

Sent

:

Tuesday

,

June

22

,

2021

6

:

37
PM

To
:
Scott
Hilton
<

scott
:
hilton
@
kba
:
law
>

Subject
:
Re
:
Thread

Wallets

,
LLC
Letter
(
our

Thanks
for
the
quick
response

.
I
think
if
we
can
use
the
new
design

that
would
be
best
for
us

.
Do
you
think
we
would
have
to
file
a
design
patent
before
we
show
them
?
Just
don

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t

want

to

run

into

any

more

issues

between

both

of

us

.

Let

,

s

show

these

pictures

to

their

attorneys

and

we

can
go
from
there
.

Let
me
know
what
they
say
:)

Thank
you
,

Ethan

Sent
from
my
iPhone

On
Jun
22
,
2021
,
at
4
:
29

PM

,

Scott
Hilton

<

scott

:

hilton

@

kba

:

law

>

wrote

:

Hi

Ethan

,

thanks
for
following
up
.

The
pictures
were
helpful
,
and
the
new
design
does
look
quite
a
bit
different
than

theirs

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The
items
they
might
still
have
issues
with
are
the
shape
and
placement
of
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fact
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placement
of
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zipper
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any
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If
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keep
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as
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this
design

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I
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other
changes
might
be
enough

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If
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the

case

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I

recommend

I

share

these

images

with

their

attorney

with

the

explanation

that

this

was

the

redesign

you

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d

already

been
working
on
before
receiving
their
suggestions

,
and
ask
if
those
changes
are
acceptable
to
Thread
Wallets
.

Let
me

know
what
you
think
–
if
using
circular
or
rectangular
rings
or
moving
the
front
zipper
further
toward
the
top
of
the
bag

are
options

,

I
think
you

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got
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slam
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but
if
you

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rather
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make
those
changes

I
think
there
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s
a
good
chance
they
,
I
accept
this
new
design
as
is
.

Thanks
,

Scott

<image001.png>

SCOTT
HILL

Par
Reg
Pat
Att

501
BRO
SUI
SAL
CIT
841
OFF
801
DIRE
801

This e-mail message is intended only for tl
immediately if you are not an intended rec
prohibited.

From

:

Ethan

O'Connell

<

ethano1114

@

gmail

:

com

>

Sent

:

BRIXLEY_008393

Tuesday

,
June
22

,
2021
11

:
06
AM

To
:
Scott
Hilton
<

scott
:
hilton
@
kba

:
law
>

Subject

:

Re

:

Thread

Wallets

,

LLC

Letter

(

our

Hey

Scott

,

I
just
wanted
to
reach
out
and
see
if
you
had
a
chance
to
look
at
the
pictures
that
I

have

attached
in
the
earlier
email

.

If
you
need
to
see
more
pictures
let
me
know

.

Thank
you

,

Ethan

On
Thu

,

Jun
17

,

2021

at
8
:
30
AM
Ethan
O'Connell
<

ethano1114
@
gmail

.
com
>

wrote
:

Hey
Scott
,

This
was
just
a
sample
that
when
have
designed
the
with
our
manufacturer

.
We
have
add
a
few
things

as
I
mentioned
in
our
earlier
email

.
Let
me
know
if
you
think
we
should
or
need
to
change
some
other

aspects
of
our
crossbody

.

Thank
you

,

Ethan

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image002
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image003
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image004
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On
Jun
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AM
,
Scott
Hilton
<

scott

±

BRIXLEY_008404

hilton

@

kba

:

law

>

wrote

:

Thanks

Ethan

.

Pictures

would

be

great

,

BRIXLEY_008405

please
send
them
over
.
They
,
re
asking
for
a
few
more
changes
than
that
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but
let
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s
take
a
look
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we
can
make
a
counter
proposal
if
we
think
it
looks
different
enough
.

<image001.png

This e-mail message is intend
immediately if you are not an
prohibited.

From
:
Ethan
O'Connell
<

ethano1114
@
gmail
.
com
>

BRIXLEY_008409

Sent
:
Tuesday
,
June
15
,
2021
10
:
39
PM

To
:
Scott
Hilton

BRIXLEY_008410

<

scott

:

hilton

@

kba

:

law

>

Subject

:

Re

:

Thread

Wallets

,

LLC

Letter
(
our

Hey
Scott
,

Thank
you
for
letting
me
know

this
.
We
have
changed
a
few
things
on
the
bag
,
which
include
different
placement
of
logo

,
added

BRIXLEY_008413

one
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ring
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We
also
added
a
functionality
to
make
it
a
fanny
pack
.
This
has

moved
the
pocket
on
the
back
lower

.
Do
you
think
this
is
enough
?

I
can
also
send
you

BRIXLEY_008415

some
pictures
if
that
would
help
.

Let
me
know
what
is
best
for

you
,

Ethan

Sent
from
my
iPhone

On
Jun

BRIXLEY_008417

15

,
2021

,
at

7

:

34

PM

,

Scott
Hilton

<

scott

,

hilton

@

kba

:

law

>

wrote

:

Hi

Ethan

.

The

Thread

Wallets

attorney

got

back
to
me
today
on
their
suggestions
,
and
they
,
re
along
the
lines
of
what
we
guessed

(
shape
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location
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rings
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location
of
tag
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placement
of
front
zipper
).
We

can
discuss
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but
let
me
know
if
any
of
those
items
are
deal
breakers
and
we
can
push

back
(
like
maybe
the
location
of
the
d
-
rings
,
if
that
,
s
essential
for
the

functionality
).

Thanks
,

Scott

<image00

This e-mail message
immediately if you a
prohibited.

From
:
James
W
.
McConkie
<
[jmccconkie
@
wnlaw
.com](mailto:jmccconkie@wnlaw.com)
>

Sent
:

BRIXLEY_008426

Tuesday

,
June
15

,
2021
5

:
05
PM

To
:
Scott
Hilton
<

scott

ˆ
hilton
@
kba

ˆ
law
>

Cc
:

scourdy
@
wnlaw

ˆ
com

;
Lauren

Swenson

<

lswenson

@

kba

:

law

>;

srupp

@

wnlaw

:

com

Subject

:

RE
:
Thread
Wallets
,
LLC
Letter
(
our

Scott
,

I
,

ve
had
a
chance
to
discuss
some
proposed
changes
to
the
next
generation
of
the
Brixley
Crossbody
Bag
with

my
client
,
Thread
Wallets
LLC
.

The
idea
is
that
if
your
client
is
willing
to
sell

off
its
existing
bags
and
make
the
changes
suggested
on
or
in
connection
with
any
future
crossbody
bag

the
parties
can
respectively
move
forward
marketing
,
selling
and
otherwise
using
their
bags
.

We
are
open

to
memorializin
the
same
in
a
written
agreement
or
by
way
of
a
less
formal
letter
agreement
listing
the

above
terms
and
signed
/
acknowledge
by
your
client

.

I
look
forward
to
hearing
from
you

.

Best

,

James

Proposed
changes

:

- Move
/
remove
the
d
-

- rings from the back of the bag in favor of differer shaped rings and a differer attachr point for

- the rings .
- Move the Brixley logo / tag to a location different than the location used by Thread

- . For
exampl
,
the
front
brande
logo
tag
should
be
remove
from
the
bottom
right
corner
and
the

- back
brande
logo
tag
needs
to
be
remove
from
the
center
on
the
back
of
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bag
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James
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McConkie
III

WORKMAN

NYDEGGER

60
East
South
Temple
,

Suite
1000

Salt
Lake
City
,
Utah
84111

Office
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Direct
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-
8841

Email

jmccconkie
@
wnlaw
:
com

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From
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Scott
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Subject
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Best
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Scott

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James
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McConkie
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jmccconkie
@
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LLC

Letter
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letter
listing
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I
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the
parties

can
resolve
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differences
would
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helpful
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this
point
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Best
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James
W
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McConkie
III

WORKMAN

NYDEGGER

60
East
South
Temple
,

Suite
1000

Salt
Lake

City
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Email

jmccconkie
@
wnlaw
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To
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James
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Subject
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Scott

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From: "Ethan O'Connell" <ethano1114@gmail.com>
To: "Scott Hilton" <scott.hilton@kba.law>
Date: 8/11/2021 4:30:29 PM
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

We have placed our order with the new design. We had long discussions with our manufacturer about changing the location or shape of the ring. The D ring shape is universally used with in many products, due to its functionality. Thread took a while to get back, leaving us with no choice but to do what's best for our company.

I am currently getting the drawings for the new design, so we can file a design patent.

Thank you,

Ethan

On Aug 11, 2021, at 3:16 PM, Scott Hilton <scott.hilton@kba.law> wrote:

Hi Ethan. The Thread Wallets attorney got back to me today (I guess he'd been on vacation) and they're wondering if, since you can't move the location of the rings, you may be able to change to another shape of rings (circle or square or something) instead of D rings. I know you weren't sure if that's something your manufacturer could do, but let me know if you were able to confirm that, or if there's a different shape that might work.

Thanks,

Scott

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SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

From: KBA <scott.hilton@kba.law>
To: "Ethan O'Connell" <ethano1114@gmail.com>
Date: 8/11/2021 8:40:20 PM
Subject: Re: Thread Wallets, LLC Letter (our

Right, if you changed ring shapes, it of course would have to be in a subsequent order.

I'll explain the functionality issue to their attorney and that our position is that with the other changes you've made, your design doesn't infringe, and hopefully they'll leave it at that.

Thanks,

Scott



SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
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On Aug 11, 2021, 6:30 PM -0400, Ethan O'Connell <ethano1114@gmail.com>, wrote:

Hey Scott,

We have placed our order with the new design. We had long discussions with our manufacturer about changing the location or shape of the ring. The D ring shape is universally used with in many products, due to its functionality. Thread took a while to get back, leaving us with no choice but to do what's best for our company.

I am currently getting the drawings for the new design, so we can file a design patent.

Thank you,

Ethan

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vacation) and they're wondering if, since you can't move the location of the rings, you may be able to change to another shape of rings (circle or square or something) instead of D rings. I know you weren't sure if that's something your manufacturer could do, but let me know if you were able to confirm that, or if there's a different shape that might work.

Thanks,

Scott

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On Aug 10, 2021, 12:30 AM -0400, Scott Hilton <scott.hilton@kba.law>, wrote:

Thanks for the update (FYI, I still haven't heard from their attorney).

If you'd like us to prepare the drawings, I think we have everything we need to get started. If you already have 3D black and white line drawings for the design that you can send us (left, right, top, bottom, front, back, and perspective), that will reduce your costs for the application from \$1800 down to \$1000, so let me know if you already have drawings we can use. We'll also need the full name (middle name or initial optional) of each inventor that conceived of the design, and their city of residence.

With that info, we can go ahead and prepare the application.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON

Partner, Registered Patent Attorney

50 W BROADWAY, SUITE 1000

SALT LAKE CITY, UTAH 84101

OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>

Sent: Sunday, August 8, 2021 11:19 PM

To: Scott Hilton <scott.hilton@kba.law>

Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

I just wanted to let you know we placed our order on Friday for the new Crossbody

bags. We are happy with the new design. We would love to file a design patent on this new Crossbody. What are the first steps to do this.

Thank you,

Ethan

On Aug 4, 2021, at 6:51 PM, Scott Hilton <scott.hilton@kba.law> wrote:

Hi Ethan. For sure, we can file a design patent application. We'll probably want to wait until we're sure the design is final, but as soon as that's the case we can prepare and file. We usually hear back from the USPTO between 6 months and a year from filing.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON

Partner, Registered Patent Attorney

50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101

OFFICE: 801.994.4646 DIRECT: 801.939.3691

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From: Ethan O'Connell <ethano1114@gmail.com>

Sent: Tuesday, August 3, 2021 2:41 PM

To: Scott Hilton <scott.hilton@kba.law>

Subject: Re: Thread Wallets, LLC Letter (our

Thank you! Do you think we can file for a design patent? How long does it usually take to get approved?

Ethan

On Tue, Aug 3, 2021 at 2:34 PM Scott Hilton <scott.hilton@kba.law> wrote:

He should be back, but I haven't heard from him yet. I let him know how urgent this is, hopefully we'll hear soon.

If you need to make an order, you can decide to go ahead (they may be upset, but you've tried to cooperate and your new design most likely doesn't infringe).

Thanks,

Scott

<image001.png>

SCOTT C. HILTON

Partner, Registered Patent Attorney

50 W BROADWAY, SUITE 1000

SALT LAKE CITY, UTAH 84101

OFFICE: 801.994.4646 DIRECT: 801.939.3691

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On Aug 3, 2021, 9:04 AM -0700, Ethan O'Connell
<ethano1114@gmail.com>, wrote:

Hey Scott,

I just wanted to follow up and see if their attorney made it back
from the convention.

Thank you,

Ethan

On Fri, Jul 30, 2021 at 10:17 AM Ethan O'Connell
<ethano1114@gmail.com> wrote:

Thanks Scott!

Ethan

On Jul 29, 2021, at 3:30 PM, Scott Hilton
<scott.hilton@kba.law> wrote:

Quick update, their attorney is at a legal convention this week, so I'm not sure when he'll be able to get back to me – hopefully it will still be soon, but if not, we may have to wait until next week.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON

Partner, Registered Patent
Attorney

50 W BROADWAY, SUITE
1000
SALT LAKE CITY, UTAH 84101

OFFICE: 801.994.4646 DIRECT:
801.939.3691

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From: Scott Hilton
Sent: Thursday, July 29, 2021 2:51 PM
To: Ethan O'Connell <ethano1114@gmail.com>
Subject: RE: Thread Wallets, LLC Letter (our

Hi Ethan. Yes, I reached out last week and explained our position, and on Monday they said they'd "get back to us promptly" but I haven't heard anything yet. I'll check in again now and see when we can expect to hear back.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON

Partner, Registered Patent
Attorney

50 W BROADWAY, SUITE
1000
SALT LAKE CITY, UTAH 84101

OFFICE: 801.994.4646 DIRECT:
801.939.3691

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From: Ethan O'Connell

<ethano1114@gmail.com>

Sent: Thursday, July 29, 2021 2:01 PM

To: Scott Hilton <scott.hilton@kba.law>

Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Just want to check back in and see if we can put an order in for our new Crossbody bags. Were you able to talk with them a little more. Let me know.

Thank you,

Ethan

On Jul 22, 2021, at 3:24 PM, Scott Hilton <scott.hilton@kba.law> wrote:

Hi Ethan, thanks for letting me know on the timing. We'll do our best to resolve this ASAP.

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON

Partner,
Registered
Patent Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

OFFICE:
801.994.4646
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801.939.3691

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From: Ethan O'Connell
<ethano1114@gmail.com>
Sent: Thursday, July 22, 2021 1:35 PM
To: Scott Hilton
<scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter
(our

Scott,

We are now out of cross body inventory. Because of the discussions, which have been ongoing with thread wallet. We are in a position where this is affecting our sales and revenue negatively. We would like to place our new order no later than next Friday. can we work to that goal.

Thank you,

Ethan

On Jul 20, 2021, at 4:17 PM,
Scott Hilton
<scott.hilton@kba.law>
wrote:

Thanks Ethan, sounds like a

plan. We'll push for that
and I'll let you know how it
goes.

<image001.png>

SCOTT C.
HILTON

Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

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DIRECT:
801.939.3691

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From: Ethan O'Connell

<ethano1114@gmail.com>

Sent: Tuesday, July 20,
2021 12:41 PM

To: Scott Hilton

<scott.hilton@kba.law>

Subject: Re: Thread
Wallets, LLC Letter (our

Hey Scott,

Let's see if we can use what
we currently newly
developed. If that doesn't
work we can speak with
our manufacturer about
possibly changing the
shape of the ring. Let me
know if you think that
would work. And what they
say.

Thank you,

Ethan

Sent from my iPhone

On Jul 20, 2021,
at 11:17 AM,
Scott Hilton
<[scott.hilton@k
ba.law](mailto:scott.hilton@kba.law)> wrote:

Thanks Ethan.
That Adidas
bag doesn't
really help our
argument, since
it's the
placement of
the D-rings that
they have the
problem with
(not the use of
D-rings
themselves –

that part was
my counter to
allow you to
leave the rings
in the same
places). If you'd
rather not
change the
location of the
D-rings, we can
counter that the
other design
changes are
enough, which
they may or
may not agree
with.

What if you
only move the
bottom to D-
rings to the side
(we can argue
that moving the
top two would
place them in
the way of the
belt loops),
would
something like

that work?

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON

Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

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From: Ethan
O'Connell
<ethano1114@gmail.com>
Sent: Tuesday,
July 20, 2021
10:50 AM
To: Scott Hilton
<scott.hilton@kba.law>
Subject: Re:
Thread Wallets,
LLC Letter (our

Hey Scott,

Thank you for
speaking with
them. I feel like
we are in a

good spot. I wanted to point out to you that other crossbodys on the market also use the D ring. I will attach Adidas crossbody, there are several more that use it. It's is very common and widely used with crossbodys across the industry. Can you suggest to them that since we are using 4 rings now, it will be a nice compromise. We are trying to establish a different look.

<https://www.tillys.com/product/adidas-originals-festival-crossbody-bag/384906100.html>

Thank you,

Ethan

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SCOTT C.
HILTON

Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101
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From:
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<ethano1114@gmail.com>

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Sent

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be

discussing

this

with

their

attorney

next

Tuesday

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Thanks

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Scott

<20B75231325845249A31CFF92800EC8C

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On
Jul
7
,
2021
,
8
:
18

BRIXLEY_008518

AM

-

0600

,

Ethan

O'Connell

<

ethano1114

@

gmail

.

com

> ,

wrote

:

Thank

you

!

!

Ethan

On
Jul
6
,
2021

at
2
:
51
PM
,
Scott
Hilton
<

scott

^
hilton
@

kba

.

law

>

wrote

:

Hey

Ethan

.

I

haven

,

t

heard

back

yet

,

I

,

II

check

with

them
and
see
where
they
,
re
at
on
this
and
let
you
know
.

Thanks
,

Scott

<image001.png>

SCOTT C.
HILTON

Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

OFFICE:
801.994.4646
DIRECT:
801.939.3691

This e-mail message is intended only for the recipient(s)
immediately if you are not an intended recipient or its ac
prohibited.

From

BRIXLEY_008523

:
Ethan
O'Connell
<

ethano1114
@
gmail
:
com
>

Sent
:
Tuesday
,
July
6
,
2021
8
:
17
AM

To
:
Scott
Hilton
<

scott
:
hilton
@
kba
:
law
>

Subject
:
Re
:
Thread
Wallets
,
LLC
Letter

(
our

Hey

Scott

,

I
hope
you
had
a
great
4th of
July
weekend

.

I
just

wanted

to
touch
base
with
you

and
see
if
you
were
able
to
get
a
response

back
from
their
attorney
,
regarding

our
new
design
for
the
crossbody
.

Thank
you
,

Ethan
O'Connell

On
Wed

,
Jun
23

,
2021
at
6

:
44
PM
Scott
Hilton

<

scott

:
hilton
@
kba

:
law

>
wrote

:

Sounds
good
Ethan

,

we

,

Il
move
forward
and
let
you
know
how
it
goes
.

Thanks

,

Scott

SCOTT C.
HILTON

Partner,
Registered
Patent
Attorney

<image001.png>

50 W
BROADWAY
SUITE 1000
SALT LAKE
CITY, UTAH
84101

OFFICE:
801.994.464
DIRECT:
801.939.366

This e-mail message is intended only for the recipient
immediately if you are not an intended recipient or it
prohibited.

From
:
Ethan
O'Connell
<

ethano1114
@
gmail
:
com
>

Sent
:
Wednesday
,
June
23
,
2021
6
:

38
PM

To
:
Scott
Hilton
<

scott
:
hilton
@
kba
:
law
>

Subject
:
Re
:
Thread

Wallets

,
LLC
Letter
(
our

Hey
Scott

,

In
regards
of
filing
a
design
patent

,

let
,
s
just
go
ahead
and
show
them
the
new
design
. Like
you
said
we
can
just
make
it
confidential
. I
think

that
it
is
smart
to
share
our
new
design
and
once
we
fully
develop
the
new
product
,
we
would
love
to
final
for
a

design
patent
with
you
.

Let
me
know
what
they
say
!

Thank
you
,

Ethan

Sent
from
my
iPhone

On
Jun
23
,
2021
,
at
10
:
24
AM
,

Scott
Hilton
<

scott
:
hilton
@
kba
:
law
>
wrote
:

Sounds
good
,
I
,
II

run
it
past
them
and
let
you
know
how
it
goes

.

On
your
question
about
filing
a
design
patent
application

,

normally
it
would
be
a
very
good
idea
to
file
ahead
of
sharing
,
but
the
risk
there
is
that
if
they
do
press

for
other
changes

,
and
you
decide
to
make
them

,
the
application
may
not
cover
the
design
(
potentially
requiring
another
patent
application

).

In
this
case
,
since
we
,
re
only
sharing
for
purposes
of
settlement
negotiations
,
you
will
have
some
protection
,
and

I
,
II
mark
them
as
confidential
as
well
.

That
being
said
,
we
,
re
absolutely
happy
to
help
get

a
design
patent
application
filed
quickly
ahead
of
sharing
if
you
,
d
like
–
and
if
there
are
further
changes
,
getting
two

different
design
patents
isn

,

t

a

bad

thing

either

,

so

let

me

know

.

Thanks

,

Scott

<image001.png>

SCC
HIL1

Partr
Regi:
Patei
Attoi

50 W
BRO.
SUIT
SALT
CITY
8410
OFFIC
801.4
DIREC
801.4

This e-mail message is intended only for the
immediately if you are not an intended recip
prohibited.

From

:

Ethan

O'Connell

<

ethano1114

@

gmail

:

com

>

Sent

:

Tuesday

,

June

22

,

2021
6
:
37
PM

To
:
Scott
Hilton
<

scott
:
hilton
@
kba
:
law
>

Subject

.

:

Re

:

Thread

Wallets

,

LLC

Letter

(

our

Thanks

for

the

quick

response

.

I

think

if

we

can
use
the
new
design
that
would
be
best
for
us

.
Do
you
think
we
would
have
to
file
a
design
patent
before

we
show
them
?
Just
don
,
t
want
to
run
into
any
more
issues
between
both
of
us
.
Let
,
s
show

these
pictures
to
their
attorneys
and
we
can
go
from
there
.

Let
me
know
what
they
say
:)

Thank
you
,

Ethan

Sent
from
my
iPhone

On
Jun
22
,
2021
,
at
4
:
29
PM
,
Scott
Hilton
<

scott
:
hilton
@
kba

law

>

wrote

:

Hi

Ethan

,

thanks

for

following

up

.

The

pictures

were

helpful

,
and
the
new
design
does
look
quite
a
bit
different
than
theirs

.
The
items
they
might
still
have
issues

with
are
the
shape
and
placement
of
the
d
-
rings
(
although
the
fact
you
have
4
will
help
)
and

the
placement
of
the
front
zipper
.

If
you
think
you
can
(
and
would
like
)
to
change
any

of
those
elements

,
let

,
s
go
for
it

.
If
you

,
d
rather
keep
them
as
they
are
in

this
design

,

I
think
the
other
changes
might
be
enough

.

If
that

,

s
the
case

,

I
recommend
I

share
these
images
with
their
attorney
with
the
explanation
that
this
was
the
redesign
you
,
d
already
been
working
on
before

receiving
their
suggestions

,
and
ask
if
those
changes
are
acceptable
to
Thread
Wallets
.

Let
me
know
what
you

think
–
if
using
circular
or
rectangular
rings
or
moving
the
front
zipper
further
toward
the
top
of
the
bag
are
options

,
I
think
you
,
ve
got
a
slam
dunk
,
but
if
you
,
d
rather
not
make
those
changes
I

think
there
,

s
a
good
chance
they
,

ll
accept
this
new
design
as
is
.

Thanks
,

Scott

<image001.png>

This e-mail message is intended or
immediately if you are not an inter
prohibited.

From
:
Ethan
O'Connell
<

ethano1114
@
gmail
:
com
>

Sent
BRIXLEY_008568

:
Tuesday
,
June
22
,
2021
11
:
06
AM

To
:
Scott
Hilton
<

scott
:
hilton

@
kba
:
law
>

Subject
:
Re
:
Thread
Wallets
,
LLC
Letter
(
our

Hey
Scott

I
just
wanted
to
reach
out
and
see
if
you
had
a
chance
to
look
at

the
pictures
that
I
have

attached
in
the
earlier
email

.
If
you
need
to
see
more
pictures
let
me

know

.

Thank
you

,

Ethan

On
Thu
,
Jun
17
,
2021
at
8
:
30
AM
Ethan
O'Connell
<

[ethano1114
@
gmail](mailto:ethano1114@gmail.com)

[com](mailto:ethano1114@gmail.com)
>
wrote

:

Hey
Scott
,

This
was
just
a
sample
that
when
have
designed
the
with
our

manufacturer

.

We
have
add
a
few
things
as
I
mentioned
in
our
earlier
email

.

Let
me
know
if
you

BRIXLEY_008576

think
we
should
or
need
to
change
some
other
aspects
of
our
crossbody
.

Thank

BRIXLEY_008577

you

,

Ethan

<

image002

.

jpg

>

<

image003

.

jpg

BRIXLEY_008578

>

<
image004

.
jpg
>

On
Jun
16
,
2021

BRIXLEY_008579

,
at
10
:
42
AM
,
Scott
Hilton
<

scott
:
hilton
@
kba
:
law
>

wrote
:

Thanks
Ethan
.
Pictures
would
be
great
,
please
send
them
over
.

They
,
re
asking
for
a
few
more
changes
than
that
,
but
let
,
s
take
a
look

and
we
can
make
a
counter
proposal
if
we
think
it
looks
different
enough
.

<image001

This e-mail message is
immediately if you are
prohibited.

From
:
Ethan
O'Connell
<

ethano1114
@
gmail

.

com

>

Sent

:

Tuesday

,

June

15

,

2021

10

:

39

PM

To

BRIXLEY_008586

:
Scott
Hilton
<

scott

:
hilton
@
kba

:
law
>

Subject

:
Re
:

Thread
Wallets

,
LLC
Letter
(
our

Hey
Scott

,

Thank

you
for
letting
me
know
this
.
We
have
changed
a
few
things
on
the
bag
,
which
include

different
placement
of
logo

,
added
one
more
d

-
ring

.

We
also
added

a
functionality
to
make

it
a
fanny
pack

.
This
has
moved
the
pocket
on
the
back
lower

.
Do
you
think
this

is
enough
?
I
can
also
send
you
some
pictures
if
that
would
help
.

Let
me
know
what
is
best
for
you
,

Ethan

Sent
from
my
iPhone

On
Jun
15
,
2021
,
at
7
:
34
PM

,
Scott
Hilton
<

scott

:
hilton

@
kba

:
law

>
wrote
:

Hi
Ethan
.
The
Thread
Wallets
attorney
got
back
to
me
today
on
their
suggest
,
and
they

,
re
along
the
lines
of
what
we
guessed
(
shape
/
location
of
d
-
rings
,

location
of
tag
,
placeme
of
front
zipper
).
We
can
discuss
,
but
let
me
know
if

any
of
those
items
are
deal
breakers
and
we
can
push
back
(
like
maybe
the
location
of

the
d
-
rings
,
if
that
,
s
essentia
for
the
function
).

Thanks

Scott

<img

This e-mail is
immediately
prohibited.

From
:
James
W
.
McConk
<
jmccconk@wnlaw.com
>

Sent

:
Tuesday

,
June
15

,
2021
5

:
05
PM

To
:
Scott
Hilton

<

scott

:
hilton

@
kba

:
law
>

Cc
:

scourdy
@
wnlaw

:

com
;
Lauren
Swensor
<

lswenso
@
kba
:
law
>;

srupp
@
wnlaw
:
com

Subject

:

RE

:

Thread

Wallets

,

LLC

Letter

(

our

Scott

,

I

,

ve
had
a
chance
to
discuss
some
propose
changes
to
the
next
generati

of
the
Brixley
Crossbo
Bag
with
my
client
,
Thread
Wallets
LLC
.

The
idea
is
that

if
your
client
is
willing
to
sell
off
its
existing
bags
and
make
the
changes
suggest
on
or

in
connect
with
any
future
crossbo
bag
,
the
parties
can
respecti
move
forward
marketi
,
selling
and

otherwise
using
their
bags

We
are
open
to
memori
the
same
in
a
written
agreement
or

by
way
of
a
less
formal
letter
agreement
listing
the
above
terms
and
signed
/
acknowledged
by
your

client

.

I
look
forward
to
hearing
from
you

.

Best

,

James

Propose
changes
:

- Mi
/
rei
thi
d
-
rin
frc
thi
ba
of

- the
ba
in
fav
of
dif
sh
rir
an
a
dif
atl
pc
for
th
rir
.
- Mi

- the
Bri
log
/
ta
to
a
loc
dif
th
th
loc
us
by
Th
.
Fo
ex

- ,
the
fro
br
lo
ta
sh
be
rei
fro
th
bc
rig
co
an
th
ba
br

- log
ta
ne
to
be
rei
fro
thi
ce
on
thi
ba
of
thi
ba
.

- Ac

- the
fro
zip
pla
up
or
ch
th
or
of
th
zip
so
as
to
ma
it
dif

- the
the
pl
or
or
us
by
Th
.

<
image00
.
png
>

<
image00
.
png
>

James
W
.
McConk
III

WORKMA

NYDEGGE

60
East
South
Temple
,

Suite
1000

Salt
Lake
City
,
Utah
84111

Office
-
Direct

:
(
801
)
321
-
8841

Email

jmccconkie
@
wnlaw
:
com

*This
email
may
contain
material*

BRIXLEY_008624

*that
is
confidential
,
privileged
and
/
or
attorney
work
product
for
the
sole
use
of
the
intended
recipient
. Any
unauthorize
review
,
use
,
or
distribution*

*is
prohibited
and
may
be
unlawful*

From
:
Scott
Hilton
<

scott
.
hilton

@
kba

:
law
>

Sent
:
Friday
,
May
21
,
2021
11
:
52

AM

To
:
James
W
.
McConk
<

JMcCon
@
WNLaw
.
com
>

Cc
:
Shellie
C
.
Courdy
<

SCourdy
@
WNLaw
:
com
>;

lswenso
@

kba

law

Subject

:

RE

:

Thread
Wallets

,
LLC
Letter
(
our

Thank
you
James
,
that
,
s
very
helpful
.

I
,
m
available
for

a
call
any
time
after
9
:
30
AM
next
Wednes
to
discuss
/
please
feel
free
to

call
my
direct
number
(
801
-
939
-
3691
)
if
there
,
s
a
time
that

works
for
you
that
morning
.

Best

,

Scott

This e-mail is
immediately
prohibited.

From
:
James
W
.
McConk

<

jmcconk
@
wnlaw

:
com
>

Sent
:
Friday
,
May
21
,
2021

11
:
15
AM

To
:
Scott
Hilton
<

scott
:
hilton
@
kba
:

law
>

Cc
:

scourdy
@
wnlaw
.
com

Subject
:
RE
:

Thread
Wallets

,
LLC
Letter
(
our

Scott
,

Attache
is

a
letter
listing
some
of
the
addition
info
you
asked
for
in
your
recent
correspo

Let

me
know
if
you
are
available
for
a
call
next
week
on
Wednes
mornin
.

I
think

a
call
to
discuss
how
the
parties
can
resolve
their
differen
would
be
helpful
at
this
point

Best

,

James
W

.
McConk
III

WORKMA

NYDEGGE

60
East

South
Temple

Suite
1000

Salt
Lake
City

Utah
84111

Office
-
Direct

:
(
801
)
321

-
8841

Email

jmconkie
@
wnlaw
:
com

*This
email
may
contain
material
that
is
confidential
,
privileged*

*and
/
or
attorney
work
product
for
the
sole
use
of
the
intended
recipient
. Any
unauthorize
review
,
use
,
or
distribution
is
prohibited
and
may
be*

unlawful

From
:
Scott
Hilton
<

scott
.
hilton
@
kba
.

law

>

Sent
:
Tuesday
,
May
4
,
2021
6
:
50
PM

To
:
James
W
.
McConk
<

JMcCon
@
WNLaw

.
com
>

Subject
:

Thread
Wallets

,
LLC
Letter
(
our

Hi
James

We
received

your
letter
to
Brixley
Bags
regardir
Thread
Wallets
,
pending
design
patent
applicat
.
Please
see
the
attachee

letter
in
reply
,
requesti
clarificat
of
the
scope
of
your
client
,
s
rights
,
so
we

can
at
least
prelimin
assess
the
merits
of
the
allegatic
.

Best
Regards
,

Scott

<img

This e-mail n
immediately
prohibited.

PRIVACY
:

BRIXLEY_008656

This
e
-
mail
may
contain
information
that
is
privileged
or
confidential
.
If
you
are
not
the
intended
recipient
,
please
delete
the
e
-
mail
and

any
attachments
and
notify
the
sender
immediately

,
and
do
not
use

,
copy

,
or
disclose
to
anyone
any
of
the
contents
hereof

.

PRIVACY
:
This
e
-
mail
may
contain
information
that
is
privileged
or
confidential
.

If
you
are
not
the
intended
recipient

,
please
delete
the
e
-
mail
and

any
attachments
and
notify
the
sender
immediately

,
and
do
not
use

,
copy

,
or
disclose
to
anyone
any
of
the
contents
hereof

.

From: "Ethan O'Connell" <ethano1114@gmail.com>

To: "Scott Hilton" <scott.hilton@kba.law>

Date: 8/11/2021 9:50:49 PM

Subject: Re: Thread Wallets, LLC Letter (our

Thank you so much, this sounds great. We really appreciate the time you've spent helping us solve this situation. I agree, I hope that they will just leave it at this.

Thanks,

Ethan

On Aug 11, 2021, at 8:40 PM, Scott Hilton <scott.hilton@kba.law> wrote:

Right, if you changed ring shapes, it of course would have to be in a subsequent order.

I'll explain the functionality issue to their attorney and that our position is that with the other changes you've made, your design doesn't infringe, and hopefully they'll leave it at that.

Thanks,

Scott

<A212CC9E05834FA3BB29EBB9BF76A3C1.png>

SCOTT C. HILTON

Partner, Registered Patent Attorney

50 W BROADWAY, SUITE 1000

SALT LAKE CITY, UTAH 84101

OFFICE: 801.994.4646 DIRECT: 801.939.3691

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On Aug 11, 2021, 6:30 PM -0400, Ethan O'Connell <ethano1114@gmail.com>, wrote:

BRIXLEY_008661

Hey Scott,

We have placed our order with the new design. We had long discussions with our manufacturer about changing the location or shape of the ring. The D ring shape is universally used with in many products, due to its functionality. Thread took a while to get back, leaving us with no choice but to do what's best for our company.

I am currently getting the drawings for the new design, so we can file a design patent.

Thank you,

Ethan

On Aug 11, 2021, at 3:16 PM, Scott Hilton <scott.hilton@kba.law> wrote:

Hi Ethan. The Thread Wallets attorney got back to me today (I guess he'd been on vacation) and they're wondering if, since you can't move the location of the rings, you may be able to change to another shape of rings (circle or square or something) instead of D rings. I know you weren't sure if that's something your manufacturer could do, but let me know if you were able to confirm that, or if there's a different shape that might work.

Thanks,

Scott

<865BACBDA19C475A8ED88241387B4B52.png>

SCOTT C. HILTON

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Attorney

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On Aug 10, 2021, 12:30 AM -0400, Scott Hilton <scott.hilton@kba.law>, wrote:

Thanks for the update (FYI, I still haven't heard from their attorney).

If you'd like us to prepare the drawings, I think we have everything we need to get started. If you already have 3D black and white line drawings for the design that you can send us (left, right, top, bottom, front, back, and perspective), that will reduce your costs for the application from \$1800 down to \$1000, so let me know if you already have drawings we can use. We'll also need the full name (middle name or initial optional) of each inventor that conceived of the design, and their city of residence.

With that info, we can go ahead and prepare the application.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON

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From: Ethan O'Connell <ethano1114@gmail.com>
Sent: Sunday, August 8, 2021 11:19 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

I just wanted to let you know we placed our order on Friday for the new Crossbody bags. We are happy with the new design. We would love to file a design patent on this new Crossbody. What are the first steps to do this.

Thank you,

Ethan

On Aug 4, 2021, at 6:51 PM, Scott Hilton <scott.hilton@kba.law>
wrote:

Hi Ethan. For sure, we can file a design patent application. We'll probably want to wait until we're sure the design is final, but as soon as that's the case we can prepare and file. We usually hear back from the USPTO between 6 months and a year from filing.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON

Partner, Registered Patent Attorney

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From: Ethan O'Connell <ethano1114@gmail.com>

Sent: Tuesday, August 3, 2021 2:41 PM

To: Scott Hilton <scott.hilton@kba.law>

Subject: Re: Thread Wallets, LLC Letter (our

Thank you! Do you think we can file for a design patent? How long does it usually take to get approved?

Ethan

On Tue, Aug 3, 2021 at 2:34 PM Scott Hilton

<scott.hilton@kba.law> wrote:

He should be back, but I haven't heard from him yet. I let him know how urgent this is, hopefully we'll hear soon.

If you need to make an order, you can decide to go ahead (they may be upset, but you've tried to cooperate and your new design most likely doesn't infringe).

Thanks,

Scott

<image001.png>

SCOTT C. HILTON

Partner, Registered Patent Attorney

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On Aug 3, 2021, 9:04 AM -0700, Ethan O'Connell

<ethano1114@gmail.com>, wrote:

Hey Scott,

I just wanted to follow up and see if their attorney made it back from the convention.

Thank you,

Ethan

On Fri, Jul 30, 2021 at 10:17 AM Ethan O'Connell
<ethano1114@gmail.com> wrote:

Thanks Scott!

Ethan

On Jul 29, 2021, at 3:30 PM, Scott Hilton
<scott.hilton@kba.law> wrote:

Quick update, their attorney is at a legal convention this week, so I'm not sure when he'll be able to get back to me – hopefully it will still be soon, but if not, we may have to wait until next week.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON

Partner, Registered
Patent Attorney

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84101

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From: Scott Hilton

Sent: Thursday, July 29, 2021 2:51 PM
To: Ethan O'Connell
<ethano1114@gmail.com>
Subject: RE: Thread Wallets, LLC Letter (our

Hi Ethan. Yes, I reached out last week and explained our position, and on Monday they said they'd "get back to us promptly" but I haven't heard anything yet. I'll check in again now and see when we can expect to hear back.

Thanks,

Scott

<image001.png>

SCOTT C. HILTON

Partner, Registered
Patent Attorney

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SUITE 1000
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84101

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From: Ethan O'Connell
<ethano1114@gmail.com>
Sent: Thursday, July 29, 2021 2:01 PM
To: Scott Hilton <scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC Letter (our

Hey Scott,

Just want to check back in and see if we can put an order in for our new Crossbody bags. Were you able to talk with them a little more. Let me know.

Thank you,

Ethan

On Jul 22, 2021, at 3:24 PM, Scott
Hilton <scott.hilton@kba.law>
wrote:

Hi Ethan, thanks for letting me
know on the timing. We'll do our
best to resolve this ASAP.

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON

Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

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From: Ethan O'Connell
<ethano1114@gmail.com>
Sent: Thursday, July 22, 2021 1:35 PM
To: Scott Hilton
<scott.hilton@kba.law>
Subject: Re: Thread Wallets, LLC
Letter (our

Scott,

We are now out of cross body inventory. Because of the discussions, which have been ongoing with thread wallet. We are in a position where this is affecting our sales and revenue negatively. We would like to place our new order no later than next Friday. can we work to that goal.

Thank you,

Ethan

On Jul 20, 2021, at
4:17 PM, Scott Hilton
<scott.hilton@kba.law>
> wrote:

Thanks Ethan, sounds like a plan. We'll push for that and I'll let you know how it goes.

<image001.png>

SCOTT C.
HILTON

Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
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From: Ethan O'Connell
<ethano1114@gmail.com>
ethano1114@gmail.com>

Sent: Tuesday, July 20,
2021 12:41 PM

To: Scott Hilton
<scott.hilton@kba.law>
Subject: Re: Thread
Wallets, LLC Letter (our

Hey Scott,

Let's see if we can use what we currently newly developed. If that doesn't work we can speak with our manufacturer about possibly changing the shape of the ring. Let me know if you think that would work. And what they say.

Thank you,

Ethan

Sent from my iPhone

On Jul 20,
2021, at
11:17 AM,
Scott
Hilton
<scott.hilton@kba.law>
> wrote:

Thanks
Ethan. That
Adidas bag
doesn't
really help
our
argument,
since it's
the
placement

of the D-rings that they have the problem with (not the use of D-rings themselves – that part was my counter to allow you to leave the rings in the same places). If you'd rather not change the location of the D-rings, we can counter that the other design changes are enough,

which they
may or
may not
agree with.

What if you
only move
the bottom
to D-rings
to the side
(we can
argue that
moving the
top two
would
place them
in the way
of the belt
loops),
would
something
like that
work?

Thanks,

Scott

<image001.png>

SCOTT C.
HILTON

Partner,
Registered
Patent
Attorney

50 W
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SUITE 1000
SALT LAKE
CITY, UTAH
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From:
Ethan

O'Connell
<ethano1114@gmail.com>

Sent:
Tuesday,
July 20,
2021 10:50
AM

To: Scott
Hilton
<scott.hilton@kba.law>

Subject:
Re: Thread
Wallets,
LLC Letter
(our

Hey Scott,

Thank you
for

speaking
with them.
I feel like
we are in a
good spot.
I wanted to
point out
to you that
other
crossbodys
on the
market
also use
the D ring.
I will attach
Adidas
crossbody,
there are
several
more that
use it. It's is
very
common
and widely
used with
crossbodys
across the
industry.
Can you

suggest to
them that
since we
are using 4
rings now,
it will be a
nice
compromis
e. We are
trying to
establish a
different
look.

[https://www.till
ys.com
/product
/adidas-
originals-
festival-
crossbody-bag
/384906100.ht
ml](https://www.tillys.com/product/adidas-originals-festival-crossbody-bag/384906100.html)

Thank you,

Ethan

On
Jul
20
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2021
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at
10
:
25
AM
,
Scott
Hilton
<

scott
:
hilton
@
kba
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law
>
wrote
:

Hi
Ethan
.
I
was
able
to
speak
to
their
attorneys
this
morning

.
They
wanted
me
to
tell
you
how
much
they
appreciate
the
way
Brixley
has
handled

this
so
far
.

They
think
the
new
design
is
mostly
acceptable

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and
checks
most
of
the
boxes

,
but
wanted
you
to
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I
pointed
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a
different
shape
(
rectangle
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triangle
,
circle
,
etc
,)
and
they

thought
that
might
be
a
compromise
that
would
work
as
well

.

Let
me
know
what
you
think
,
or
if
you
have
a
counter
proposal

.

We
,
re
getting
close
on
this
.

Thanks
,

Scott

<image001.png>

SCOTT C.
HILTON

Partner,
Registered
Patent
Attorney

50 W
BROADWAY,
SUITE 1000
SALT LAKE
CITY, UTAH
84101

BRIXLEY_008691

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From
:
Ethan
O'Connell
<

ethano1114
@
gmail

.

com

>

Sent

:

Wednesday

,

July

14

,

2021

4

:

11

PM

To

:

Scott

Hilton

<

scott

:

hilton

@

kba

;
law
>

Subject
:
Re
:
Thread
Wallets
,
LLC
Letter
(
our

This
is
fantastic
!
Let
me
know
how
it

goes

.

we

want

to

put

in

an

order

with

manufacture

soon

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If

they

are

okay

with

our

changes

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we

would

love

to

file

a

design

patent

with

you

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Thank
you

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Ethan

On
Jul
14

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2021

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at
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36
AM
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Scott
Hilton
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scott
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hilton
@
kba
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law
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wrote
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Quick
update
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I'll
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discussing
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Thanks

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Scott

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prohibited.

On
Jul
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2021
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18
AM
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0600
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Ethan
O'Connell
<

ethano1114
@
gmail

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com
>,
wrote
:

Thank
you
!
!

Ethan

On
Jul
6
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2021
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at
2
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51
PM
,
Scott
Hilton
<

scott

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hilton

@

kba

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law

>

wrote

:

Hey

Ethan

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I

haven

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heard

back

yet

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I
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II
check
with
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and
see
where
they
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and
let
you
know
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Thanks
,

Scott

<image001.png>

SCOTT C.
HILTON

Partner,
Registered
Patent
Attorney

50 W
BROADWAY
SUITE 1000
SALT LAKE
CITY, UTAH
84101

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DIRECT:
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From

:

Ethan
O'Connell

<

[ethano1114](mailto:ethano1114@gmail.com)

[@](mailto:ethano1114@gmail.com)

[gmail](mailto:ethano1114@gmail.com)

:

[com](mailto:ethano1114@gmail.com)

>

Sent

:

Tuesday

,

July

6

,

2021

8

:

17

AM

To

:

Scott
Hilton

<

scott

:

hilton

@

kba

:

law

>

Subject

:

Re

:

Thread
Wallets

,

LLC
Letter
(
our

Hey

Scott

,

I
hope
you
had
a
great
4th of
July
weekend
.

I
just
wanted

to
touch
base
with
you

and
see
if
you
were
able
to
get
a
response

back
from
their

attorney

,
regarding
our
new
design
for
the
crossbody
.

Thank
you
.

Ethan
O'Connell

On
Wed
,
Jun
23
,
2021
at
6
:
44
PM
Scott
Hilton
<

scott

hilton

@

kba

law

>

wrote

:

Sounds
good
Ethan

,

we

,

II
move
forward
and
let
you
know
how
it
goes

.

Thanks

,

Scott

<image001.png>

SCOTT
HILTON

Partner,
Registered
Patent
Attorney

50 W
BROADV
SUITE 10
SALT LAKE
CITY, UT.
84101

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DIRECT:
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BRIXLEY_008712

From
:
Ethan
O'Connell
<
ethano1114@gmail.com
>

Sent
:
Wednesday

June
23
,
2021
6
:
38
PM

To
:
Scott
Hilton
<

scott
:
hilton
@
kba
:
law
>

Subject

:

Re

:

Thread

Wallets

,

LLC

Letter

(

our

Hey

Scott

,

In
regards
of
filing
a
design
patent

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let

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just
go
ahead
and
show
them
the
new
design

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Like
you
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make
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confidential

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I
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share
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fully
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the
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with
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Let
me
know
what
they

say
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Thank
you
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Ethan

Sent
from
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On
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Scott
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Sounds
good

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know
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On
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Thanks

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Scott

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immediately if you are not an intended r
prohibited.

From
:
Ethan

O'Connell

<

ethano1114

@

gmail

.

com

>

Sent

:

Tuesday

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June

22

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2021

6

:

37

PM

To
:
Scott
Hilton
<

scott
:
hilton
@
kba
:
law
>

Subject
:
Re
:
Thread

Walleys

,
LLC
Letter
(
our

Thanks
for
the
quick
response

.
I
think
if
we
can
use
the

new
design
that
would
be
best
for
us

.
Do
you
think
we
would
have
to
file
a
design
patent
before
we
show
them

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Just
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want
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any
more
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both
of
us
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Let
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s
show
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pictures
to

their
attorneys
and
we
can
go
from
there
.

Let
me
know
what
they
say
:)

Thank
you
,

Ethan

Sent
from
my
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2021

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Thanks

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From
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Ethan
O'Connell
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ethano1114
@
gmail
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com

BRIXLEY_008750

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Sent
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Tuesday
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To
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Scott
Hilton

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hilton

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Subject

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Thank
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Ethan

On
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Ethan
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From
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Subject

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Hey
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Thank
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From: "Ethan O'Connell" <ethano1114@gmail.com>

To: "Scott Hilton" <scott.hilton@kba.law>

"Lauren Swenson" <lswenson@kba.law>

Date: 2/17/2022 4:15:23 PM

Subject: Re: Trademark on a saying for Brixley

Hey Scott,

I just wanted to follow up on the design patent that we filed on our crossbody sling. I remember last time we spoke we talked about how it can take a year to file. Is there anything else we can do or need to do to protect our design? With Thread sending their letter a year ago did we leave off on a page with their lawyer having an understanding that our bag is different and unique to our design. If they end up getting a design patent filed before ours, do they have any ground on reaching back out trying to take legal actions?

From a legal perspective is our design and crossbody different enough to not have to discuss anymore legal actions. I just want to make sure we have done everything we need to do to be successful. We have been having a great year and would hate to have something push us back that we can plan for now.

Thank you,

Ethan

On Thu, Feb 10, 2022 at 2:54 PM Scott Hilton <scott.hilton@kba.law> wrote:

Perfect, we'll get the application filed.

Thanks,

Scott



SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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On Feb 10, 2022, 2:05 PM -0700, Ethan O'Connell <ethano1114@gmail.com>, wrote:

We are still Brixley Bags, LLC. But the address has changed to 6778 s 6000 w Spanish fork UT, 84660. Let me know if you need anything else!

BRIXLEY_008847

From: KBA <scott.hilton@kba.law>
To: "Lauren Swenson" <lswenson@kba.law>
"Ethan O'Connell" <ethano1114@gmail.com>
Date: 3/1/2022 9:45:36 AM
Subject: Re: Trademark on a saying for Brixley

Hi Ethan. Thanks for the additional info on the trademark and sorry I missed your previous email.

To answer your questions on the crossbody sling design, I think the fact that we haven't heard anything else from them is a good sign, and they likely agree that your new bag doesn't infringe, and that's certainly where we left it with their attorney (they seemed appreciative of our cooperation and re-design). There's always a chance, especially if your new design is very popular, that they might allege that it infringes their design patent, but I think that chance is small based on the differences in your designs. Your current design patent application covers the current design well, there's not much else to do there, but if there are other designs you'd like to protect, or a next version of the crossbody sling design, we can file additional applications to cover those. We'll let you know as soon as we hear back from the USPTO.

Thanks,

Scott



SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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On Mar 1, 2022, 8:22 AM -0700, Ethan O'Connell <ethano1114@gmail.com>, wrote:

Hey Scott,

I just wanted to follow back up with you. Wanted to just make sure my last email didn't get lost in our thread, I know that gmail can compress them sometimes. I wanted to send a picture of them saying that we are trademarking. We Changed the "ok" to "okay", it just fits on things better. I will be attaching a picture of it below.

Thank you,

Ethan

On Thu, Feb 17, 2022 at 3:15 PM Ethan O'Connell <ethano1114@gmail.com> wrote:

Hey Scott,

I just wanted to follow up on the design patent that we filed on our crossbody sling. I remember last time we spoke we talked about how it can take a year to file. Is there anything else we can do or need to do to protect our design? With Thread sending their letter a year ago did we leave off on a page with their lawyer having an understanding that our bag is different and unique to our design. If they end up getting a design patent filed before ours, do they have any ground on reaching back out trying to take legal actions?

From a legal perspective is our design and crossbody different enough to not have to discuss anymore legal actions. I just want to make sure we have done everything we need to do to be successful. We have been having a great year and would hate to have something push us back that we can plan for now.

Thank you,

Ethan

On Thu, Feb 10, 2022 at 2:54 PM Scott Hilton <scott.hilton@kba.law> wrote:

Perfect, we'll get the application filed.

Thanks,

Scott



SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
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On Feb 10, 2022, 2:05 PM -0700, Ethan O'Connell <ethano1114@gmail.com>, wrote:

We are still Brixley Bags, LLC. But the address has changed to 6778 s 6000 w Spanish fork UT, 84660. Let me know if you need anything else!

Thank you,

Ethan

On Feb 10, 2022, at 11:35 AM, Scott Hilton <scott.hilton@kba.law> wrote:

Perfect, happy to move forward. As long as this trademark will also be owned by BRIXLEY BAGS, LLC (361 N. 725 E., Vineyard UT, 84059), I think we have everything we need to complete the filing for a variety of bags and apparel on an intent-to-use basis.

Thanks,

Scott



SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101
OFFICE: 801.994.4646 DIRECT: 801.939.3691

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On Feb 9, 2022, 10:28 PM -0700, Ethan O'Connell <ethano1114@gmail.com>, wrote:

Hey!

Thank you for the quick reply. We have not started using the phrase yet, it is in production on some sweatshirts. We are also getting some stickers made with this saying. It sounds like intent to use would be our best option. Let's just start with that!

Let me know what you need from me to move forward.

Thank you,

Ethan

On Wed, Feb 9, 2022 at 8:11 AM Scott Hilton <scott.hilton@kba.law>
wrote:

Hi Ethan, sounds great, happy to help.

Apparel and bags/suitcases are in different classes, so we can cap the cost at \$800 for the first class, and give you a discount down to \$500 for the second class (if you'd like to file in both), including the USPTO fees.

On the timeframe, we can file as soon as you're ready (today, next week, etc.) as an intent-to-use application, or if you've already started using the trademark in commerce, or will start using it soon, we can file as soon as you let us know the date of first use, and send photos of the trademark in use on the goods (we'll need separate photos for apparel and bags). Once we file, there's quite a backlog at the USPTO, so it may be some time (lately, it has even been up to a year) before we hear anything back from the USPTO.

One thing to consider (we may have talked about this before) is that for goods, the USPTO usually requires that the trademark be on the actual product or packaging, and for apparel, it can't be decorative use (like the front of a t-shirt), so for apparel it's best if the trademark is on a hangtag or packaging. Unfortunately, they're pretty picky about that.

Let me know when you're ready, and if you'd like to file on an intent-to-use basis, or if you've already used or will soon use the trademark in commerce.

Thanks,

Scott

**KB
&A**

OFFICE:
801.994.4646
DIRECT:
801.939.3691

SCOTT C. HILTON
Partner, Registered Patent Attorney
50 W BROADWAY, SUITE 1000
SALT LAKE CITY, UTAH 84101

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On Feb 8, 2022, 3:39 PM -0700, Ethan O'Connell
<ethano1114@gmail.com>, wrote:

Hey Scott,

We are wanting to trademark a saying "Take me somewhere fun, ok?". We would like the trademark to be for shirts, sweatshirts, all apparel, bags, suitcases. If you think there are other things we should add let us know. We would love to know the price of this and timeframe on this.

Thank you,

Ethan O'Connell
Brixley Bags

From: "Ethan O'Connell" <ethano1114@gmail.com>
To: "Scott Hilton" <scott.hilton@kba.law>
CC: "Lauren Swenson" <lswenson@kba.law>
Date: 3/1/2022 10:03:38 AM
Subject: Re: Trademark on a saying for Brixley

Thanks for the quick response and information. I think we are in a great spot! Let me know if you need anything on my side.

thank you,
Ethan

On Tue, Mar 1, 2022 at 8:45 AM Scott Hilton <scott.hilton@kba.law> wrote:

Hi Ethan. Thanks for the additional info on the trademark and sorry I missed your previous email.

To answer your questions on the crossbody sling design, I think the fact that we haven't heard anything else from them is a good sign, and they likely agree that your new bag doesn't infringe, and that's certainly where we left it with their attorney (they seemed appreciative of our cooperation and re-design). There's always a chance, especially if your new design is very popular, that they might allege that it infringes their design patent, but I think that chance is small based on the differences in your designs. Your current design patent application covers the current design well, there's not much else to do there, but if there are other designs you'd like to protect, or a next version of the crossbody sling design, we can file additional applications to cover those. We'll let you know as soon as we hear back from the USPTO.

Thanks,

Scott



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On Mar 1, 2022, 8:22 AM -0700, Ethan O'Connell <ethano1114@gmail.com>, wrote:

Hey Scott,

I just wanted to follow back up with you. Wanted to just make sure my last email didn't get lost in our thread, I know that gmail can compress them sometimes. I wanted to send a picture of them saying that we are trademarking. We Changed the "ok" to "okay", it just fits on things better. I will be attaching a picture of it below.

Thank you,

Ethan

On Thu, Feb 17, 2022 at 3:15 PM Ethan O'Connell <ethano1114@gmail.com> wrote:

Hey Scott,

I just wanted to follow up on the design patent that we filed on our crossbody sling. I remember last time we spoke we talked about how it can take a year to file. Is there anything else we can do or need to do to protect our design? With Thread sending their letter a year ago did we leave off on a page with their lawyer having an understanding that our bag is different and unique to our design. If they end up getting a design patent filed before ours, do they have any ground on reaching back out trying to take legal actions?

From a legal perspective is our design and crossbody different enough to not have to discuss anymore legal actions. I just want to make sure we have done everything we need to do to be successful. We have been having a great year and would hate to have something push us back that we can plan for now.

Thank you,

Ethan

On Thu, Feb 10, 2022 at 2:54 PM Scott Hilton <scott.hilton@kba.law> wrote:

Perfect, we'll get the application filed.

Thanks,

Scott



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On Feb 10, 2022, 2:05 PM -0700, Ethan O'Connell <ethano1114@gmail.com>, wrote:

We are still Brixley Bags, LLC. But the address has changed to 6778 s 6000 w Spanish fork UT, 84660. Let me know if you need anything else!

Thank you,

Ethan

On Feb 10, 2022, at 11:35 AM, Scott Hilton <scott.hilton@kba.law> wrote:

Perfect, happy to move forward. As long as this trademark will also be owned by BRIXLEY BAGS, LLC (361 N. 725 E., Vineyard UT, 84059), I think we have everything we need to complete the filing for a variety of bags and apparel on an intent-to-use basis.

Thanks,

Scott



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On Feb 9, 2022, 10:28 PM -0700, Ethan O'Connell
<ethano1114@gmail.com>, wrote:

Hey!

Thank you for the quick reply. We have not started using the phrase yet, it is in production on some sweatshirts. We are also getting some stickers made with this saying. It sounds like intent to use would be our best option. Let's just start with that!